



**AIR QUALITY  
TIER I OPERATING PERMIT**

**State of Idaho  
Department of Environmental Quality**

**PERMIT NO.:** T1-040313  
**FACILITY ID NO.:** 077-00006  
**AQCR:** 061 **CLASS:** A  
**SIC:** 2874 **ZONE:** 12  
**UTM COORDINATE (km):** 375.6, 4751.6

**1. PERMITTEE**

J. R. Simplot Co. - Don Siding Plant

**2. PROJECT**

Tier I Operating Permit

**3. MAILING ADDRESS**

P.O. Box 912

**CITY**

Pocatello

**STATE  
ID**

**ZIP**  
83204

**4. FACILITY CONTACT**

Leon C. Pruett

**TITLE**

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**TELEPHONE**  
(208) 234-5370

**5. RESPONSIBLE OFFICIAL**

Delbert Butler

**TITLE**

Plant Manager

**TELEPHONE**  
(208) 234-5410

**6. EXACT PLANT LOCATION**

Section 18 R-34-E, T-6-S; 5½ Section 7 R-34-E T-6-S

**COUNTY**  
Power

**7. GENERAL NATURE OF BUSINESS and KINDS OF PRODUCTS**

Manufacture of nitrogen, phosphate, and sulfate commercial products

**8. PERMIT AUTHORITY**

This Tier I operating permit is issued pursuant to Idaho Code §39-115 and the *Rules for the Control of Air Pollution in Idaho*, IDAPA 58.01.01.300 - 386. The permittee shall comply with the terms and conditions of this permit.

This permit incorporates all applicable terms and conditions of prior air quality permits issued by the Department of Environmental Quality (DEQ) for the permitted source, unless the permittee emits toxic pollutants subject to state-only requirements pursuant to IDAPA 58.01.01.210, and the permittee elects not to incorporate those terms and conditions into this operating permit.

The effective date of this permit is the date of signature by DEQ on the cover page

\_\_\_\_\_  
**TONI HARDESTY, DIRECTOR**  
**DEPARTMENT OF ENVIRONMENTAL QUALITY**

**DATE ISSUED:** Draft for Public Comment

**DATE EXPIRES:** December 24, 2007

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## ACRONYMS, UNITS, AND CHEMICAL NOMENCLATURE

AQCR	Air Quality Control Region
ASTM	American Society of Testing and Materials
CAA	Clean Air Act
CEMS	continuous emissions monitoring system
Ci/yr	Curies per year
CFR	Code of Federal Regulations
CO	carbon monoxide
CTM	conditional test method
DEQ	Department of Environmental Quality
EPA	U.S. Environmental Protection Agency
gpm	gallons per minute
gr/dscf	grains per dry standard cubic foot
HPB&W	Babcock & Wilcox boiler - Model No. FM 106-97
H <sub>2</sub> SO <sub>4</sub>	sulfuric acid
HNO <sub>3</sub>	nitric acid
IDAPA	a numbering designation for all administrative rules in Idaho promulgated in accordance with the Idaho Administrative Procedures Act
km	kilometer
lb/hr	pounds per hour
lb/MMBtu	pounds per million British thermal units
lb/MMscf	pounds per million standard cubic feet
lb/T	pounds per ton
MACT	maximum available control technology
MMBtu/hr	million British thermal units per hour
MMcf/day	million cubic feet per day
MMscf/hr	million standard cubic feet per hour
MMscf/yr	million standard cubic feet per year
NH <sub>3</sub>	ammonia
NO <sub>2</sub>	nitrogen oxide
NO <sub>x</sub>	nitrogen oxides
NSPS	New Source Performance Standards
O&M	operations and maintenance
PM	particulate matter
PM <sub>10</sub>	particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers
ppm	parts per million
PTC	permit to construct
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO <sub>2</sub>	sulfur dioxide
SO <sub>3</sub>	sulfur trioxide
SPA	superphosphoric acid
TSP	triple super phosphate
T/d	tons per day
T/yr	tons per year
UTM	Universal Transverse Mercator
U.S.C.	United States Code
VOC	volatile organic compound

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## **1. TIER I OPERATING PERMIT SCOPE**

### **PURPOSE**

- 1.1 This Tier I operating permit establishes facility-wide requirements in accordance with the *Rules for the Control of Air Pollution in Idaho*.
- 1.2 The Tier I operating permit incorporates the requirements in the following permits, consent order, and settlement agreement:
  - Settlement agreement dated June 10, 2004.
  - Granulation No. 3 Plant Upgrade, PTC No. 077-00006, issued December 12, 2001.
  - The 300 Sulfuric Acid Plant Restoration Project, PTC No. 077-00006, issued June 15, 2001.
  - Boiler Replacement, PTC No. 077-00006, issued September 20, 2000.
  - Tier II Permit No. 077-00006, issued December 3, 1999, expired June 29, 2000.
  - Defluorination Project - Granulation No. 3 Plant, PTC No. 077-00006, issued November 12, 1999.
  - East Dry Bulk Station - Granulation No. 3 Loadout, PTC No. 077-00006, issued September 13, 1995.
  - Babcock and Wilcox Boiler, PTC No. 077-00006, issued June 16, 1995.
  - Consent Order, issued August 9, 2001.

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**2. FACILITY-WIDE CONDITIONS**

The following table contains a summary of requirements that apply generally to emissions units at the facility.

**Table 2.1 SUMMARY OF FACILITY-WIDE REQUIREMENTS**

Permit Conditions	Parameter	Permit Limit/ Standard Summary	Applicable Requirements Reference	Monitoring and Record-keeping Requirements
2.1	Fugitive dust	Reasonable control	IDAPA 58.01.01.650-651	2.2, 2.3, 2.4, 2.11
2.5	Odors	Rules for Control of Odors	IDAPA 58.01.01.775-776	2.6, 2.11
2.7	Visible emissions	20% opacity for no more than three minutes in any 60-minute period	IDAPA 58.01.01.625	2.8, 2.11
2.9	Excess emissions	Compliance with IDAPA 58.01.01.130-136	IDAPA 58.01.01.130-136	2.9-2.9.5, 2.11
2.12	Open burning	Compliance with IDAPA 58.01.01.600-616	IDAPA 58.01.01.600-616	2.11
2.13	Renovation and demolition	Compliance with 40 CFR 61, Subpart M	40 CFR 61, Subpart M	2.11
2.14	Chemical accident prevention	Compliance with 40 CFR 68	40 CFR 68	2.11
2.15	Air quality standards	EPA reference test methods	IDAPA 58.01.01.157	2.11, 2.16
2.16, 2.17	Criteria air pollutants, NH <sub>3</sub> , opacity	Compliance testing	IDAPA 58.01.01.157	2.10, 2.11, 2.15
2.18	Fuel sulfur content limit	No. 1 fuel - 0.3% or less; No. 2 fuel - 0.5% or less	IDAPA 58.01.01.728	2.11, 2.19
2.20	Recycling and emissions reduction	Reduce emissions of Class I and Class II refrigerants in accordance with 40 CFR 82, Subpart F	40 CFR 82, Subpart F	2.11
2.21	Fuel-burning equipment	Compliance with IDAPA 58.01.01.676-677	IDAPA 58.01.01.676	2.11
2.23	Special studies	Maintain records of material flow; Monitor ambient fluoride in vegetation used for feed and forage	Tier II Permit No. 077-00006	2.11, 2.24

**Fugitive Dust**

- 2.1 All reasonable precautions shall be taken to prevent PM from becoming airborne in accordance with IDAPA 58.01.01.650-651.

**[IDAPA 58.01.01.650-651, 5/1/94]**

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- 2.2 The permittee shall monitor and maintain records of the frequency and the method(s) used (i.e., water, chemical dust suppressants, etc.) to reasonably control fugitive emissions.

**[IDAPA 58.01.01.322.06, 07, 5/1/94]**

- 2.3 The permittee shall maintain records of all fugitive dust complaints received. The permittee shall take appropriate corrective action as expeditiously as practicable after receipt of a valid complaint. The records shall include, at a minimum, the date each complaint was received and a description of the following: the complaint, the permittee's assessment of the validity of the complaint, any corrective action taken, and the date the corrective action was taken.

**[IDAPA 58.01.01.322.06, 07, 5/1/94]**

- 2.4 The permittee shall conduct a monthly facility-wide inspection of potential sources of fugitive emissions, during daylight hours and under normal operating conditions to ensure that the methods used to reasonably control fugitive emissions are effective. If fugitive emissions are not being reasonably controlled, the permittee shall take corrective action as expeditiously as practicable. The permittee shall maintain records of the results of each monthly fugitive emission inspection. The records shall include, at a minimum, the date of each inspection and a description of the following: the permittee's assessment of the conditions existing at the time fugitive emissions were present (if observed), any corrective action taken in response to the fugitive emissions, and the date the corrective action was taken.

**[IDAPA 58.01.01.322.06, 07, 5/1/94; IDAPA 58.01.01.322.08, 4/5/00]**

### **Odors**

- 2.5 No person shall allow, suffer, cause, or permit the emission of odorous gases, liquids, or solids to the atmosphere in such quantities as to cause air pollution.

**[IDAPA 58.01.01.775-776, 5/1/94]**

- 2.6 The permittee shall maintain records of all odor complaints received. If the complaint has merit, the permittee shall take appropriate corrective action as expeditiously as practicable. The records shall include, at a minimum, the date each complaint was received and a description of the following: the complaint, the permittee's assessment of the validity of the complaint, any corrective action taken, and the date the corrective action was taken.

**[IDAPA 58.01.01.322.06, 07 (state-only), 5/1/94]**

### **Visible Emissions**

- 2.7 No person shall discharge any air pollutant to the atmosphere from any point of emission for a period or periods aggregating no more than three minutes in any 60-minute period which is greater than 20% opacity as determined by procedures contained in IDAPA 58.01.01.625. These provisions shall not apply when the presence of uncombined water, nitrogen oxides, and/or chlorine gas is the only reason(s) for the failure of the emission to comply with the requirements of this section.

**[IDAPA 58.01.01.625, 5/1/94]**

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- 2.8 In addition to the specific requirements in Permit Conditions 15.11, 15.16, 16.12, and 17.9, the permittee shall conduct a monthly facility-wide inspection of potential point sources of visible emissions during daylight hours and under normal operating conditions. The visible emissions inspection shall consist of a see/no see evaluation for each potential point source. If any visible emissions are present from any point of emission, the permittee shall either take appropriate corrective action as expeditiously as practicable or perform a Method 9 opacity test in accordance with the procedures outlined in IDAPA 58.01.01.625. A minimum of 30 observations shall be recorded when conducting the opacity test. If opacity is greater than 20% for a period or periods aggregating more than three minutes in any 60-minute period, the permittee shall take all necessary corrective action and report the exceedance in its annual compliance certification and in accordance with IDAPA 58.01.01.130-136. The permittee shall maintain records of the results of each monthly visible emission inspection and each opacity test when conducted. The records shall include, at a minimum, the date and results of each inspection and test and a description of the following: the permittee's assessment of the conditions existing at the time visible emissions are present (if observed), any corrective action taken in response to the visible emissions, and the date corrective action was taken.

**[IDAPA 58.01.01.322.06, 07, 5/1/94; IDAPA 58.01.01.322.08, 4/5/00]**

**Excess Emissions**

- 2.9 The permittee shall comply with the procedures and requirements of IDAPA 58.01.01.130-136 for excess emissions. The provisions of IDAPA 130-136 shall govern in the event of conflicts between the subsections of Permit Condition 2.9 and the regulations of IDAPA 58.01.01.130-136.
- 2.9.1 The person responsible for or in charge of a facility during an excess emissions event shall, with all practicable speed, initiate and complete appropriate and reasonable action to correct the conditions causing such excess emissions event; to reduce the frequency of occurrence of such events; to minimize the amount by which the emission standard is exceeded; and shall, as provided below or upon request of DEQ, submit a full report of such occurrence, including a statement of all known causes and of the scheduling and nature of the actions to be taken.

**[IDAPA 58.01.01.132, 4/5/00]**

- 2.9.2 In all cases where startup, shutdown, or scheduled maintenance of any equipment or emission unit is expected to result or results in an excess emissions event, the owner or operator of the facility or emissions unit generating the excess emissions shall demonstrate compliance with IDAPA 58.01.01.133.01(a) through (d), including, but not limited to the following:

**[IDAPA 58.01.01.133, 4/5/00]**

- 2.9.2.1 A prohibition of any scheduled startup, shutdown, or maintenance resulting in excess emissions shall occur during any period in which an Atmospheric Stagnation Advisory and/or a Wood Stove Curtailment Advisory have/has been declared by DEQ.

**[IDAPA 58.01.01.133.01.a, 3/20/97]**

- 2.9.2.2 Notifying DEQ of the excess emissions event as soon as reasonably possible, but no later than two hours prior to the start of the event unless the owner or operator demonstrates to DEQ's satisfaction that a shorter advanced notice was necessary.

**[IDAPA 58.01.01.133.01.b, 4/5/00]**

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- 2.9.2.3 The owner or operator of a source of excess emissions shall report and record the information required pursuant to Permit Conditions 2.9.4 and 2.9.5 and IDAPA 58.01.01.135-136 for each excess emissions event due to startup, shutdown, or scheduled maintenance.

**[IDAPA 58.01.01.133.01.c, 3/20/97]**

- 2.9.3 In all cases where upset or breakdown of equipment or an emissions unit, or the initiation of safety measures, results or may result in an excess emissions event, the owner or operator of the facility or emissions unit generating the excess emissions shall demonstrate compliance with IDAPA 58.01.01.134.01(a) and (b) and the following:

**[IDAPA 58.01.01.134, 4/5/00]**

- 2.9.3.1 For all equipment or emissions units from which excess emissions result during upset or breakdown conditions, or for other situations that may necessitate the implementation of safety measures which cause excess emissions, the facility owner or operator shall comply with the following:

**[IDAPA 58.01.01.134.02, 4/5/00]**

The owner or operator shall immediately undertake all appropriate measures to reduce and, to the extent possible, eliminate excess emissions resulting from the event and to minimize the impact of such excess emissions on the ambient air quality and public health.

**[IDAPA 58.01.01.134.02.a, 4/5/00]**

The owner or operator shall notify DEQ of any upset, breakdown, or safety event that results in excess emissions. Such notification shall identify the time, specific location, equipment or emissions unit involved, and (to the extent known) the cause(s) of the occurrence. The notification shall be given as soon as reasonably possible, but no later than 24 hours after the event, unless the owner or operator demonstrates to DEQ's satisfaction that the longer reporting period was necessary.

**[IDAPA 58.01.01.134.02.b, 4/5/00]**

The owner or operator shall report and record the information required pursuant to Permit Conditions 2.9.4 and 2.9.5. and IDAPA 58.01.01.135-136 for each excess emissions event caused by an upset, breakdown, or safety measure.

**[IDAPA 58.01.01.134.02.c, 3/20/97]**

- 2.9.3.2 During any period of excess emissions caused by upset, breakdown, or operation under facility safety measures, DEQ may require the owner or operator to immediately reduce or cease operation of the equipment or emissions unit causing the period until such time as the condition causing the excess has been corrected or brought under control. Such action by DEQ shall be taken upon consideration of the factors listed in IDAPA 58.01.01.134.03 and after consultation with the facility owner or operator.

**[IDAPA 58.01.01.134.03, 4/5/00]**

- 2.9.4 A written report for each excess emissions event shall be submitted to DEQ by the owner or operator no later than 15 days after the beginning of such an event. Each report shall contain the information specified in IDAPA 58.01.01.135.02.

**[IDAPA 58.01.01.135.01, 02, 3/20/97]**



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- 2.9.5 The owner or operator shall maintain excess emissions records at the facility for the most recent five-calendar-year period. The records shall be made available to DEQ representatives upon request. The excess emissions records shall include the information requested by IDAPA 58.01.01.136.03(a) and (b) as summarized in the following:

**[IDAPA 58.01.01.136.01, 02, 3/20/97; IDAPA 58.01.01.136.03, 4/5/00]**

- 2.9.5.1 An excess emissions record book for each emissions unit or piece of equipment containing copies of all reports that have been submitted to DEQ pursuant to IDAPA 58.01.01.135 for the particular emissions unit or equipment.

**[IDAPA 58.01.01.136.03.a, 4/5/00]**

- 2.9.5.2 Copies of all startup, shutdown, and scheduled maintenance procedures and upset, breakdown, safety preventative maintenance plans that have been developed by the owner or operator in accordance with IDAPA 58.01.01.133-134, and facility records as necessary to demonstrate compliance with such procedures and plans.

**[IDAPA 58.01.01.136.03.b, 3/20/97; IDAPA 58.01.01.130-136, 4/5/00  
(state-only; federally enforceable upon approval into SIP); IDAPA 58.01.01.322.08.b, 3/23/98]**

### ***Reports and Certifications***

- 2.10 All periodic reports and certifications required by this permit shall be submitted to DEQ within 30 days of the end of each specified reporting period. Excess emissions reports and notifications shall be submitted in accordance with IDAPA 58.01.01.130-136. Reports, certifications, and notifications shall be submitted to the following:

Air Quality Permit Compliance  
Department of Environmental Quality  
Pocatello Regional Office  
444 Hospital Way, Suite 300  
Pocatello, ID 83201  
Phone: (208) 236-6160

Fax: (208) 236-6168

The periodic compliance certification required by General Provision 21 shall also be submitted within 30 days of the end of the specified reporting period to the following:

U.S. EPA Region 10  
Air Operating Permits, OAQ-107  
1200 Sixth Ave.  
Seattle, WA 98101

**[IDAPA 58.01.01.322.08, 11, 4/5/00]**

### ***Monitoring and Record-keeping***

- 2.11 The permittee shall maintain sufficient record keeping to assure compliance with all of the terms and conditions of this operating permit. Records of monitoring information shall include, but not be limited to the following: (a) the date, place, and times of sampling or measurements; (b) the date analyses were performed; (c) the company or entity that performed the analyses; (d) the analytical techniques or methods used; (e) the results of such analyses; and (f) the operating conditions existing at the time of sampling or measurement. All monitoring records and support information shall be

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retained for a period of at least five years from the date of the monitoring sample, measurement, report, or application. Supporting information includes, but is not limited to, all calibration and maintenance records, all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. All records required to be maintained by this permit shall be made available in either hard copy or electronic format to DEQ representatives upon request.

**[IDAPA 58.01.01.322.07, 5/1/94]**

***Open Burning***

- 2.12 The permittee shall comply with the requirements of IDAPA 58.01.01.600-616, *Rules for Control of Open Burning*.

**[IDAPA 58.01.01.600-616, 5/1/94]**

***Renovation/Demolition***

- 2.13 The permittee shall comply with all applicable portions of 40 CFR 61, Subpart M when conducting any renovation or demolition activities at the facility.

**[40 CFR 61, Subpart M]**

***Regulated Substances for Accidental Release Prevention***

- 2.14 An owner or operator of a stationary source that has more than a threshold quantity of a regulated substance in a process, as determined under 40 CFR 68.115, shall comply with the requirements of the Chemical Accident Prevention Provisions in 40 CFR Part 68 no later than the latest of the following dates:

Three years after the date on which a regulated substance present above a threshold quantity is first listed in 40 CFR 68.130.

The date on which a regulated substance is first present above a threshold quantity in a process.

**[40 CFR 68.10(a)]**

***Test Methods***

- 2.15 If testing is required, the permittee shall use the test methods described in Table 2.2 to measure the pollutant emissions.

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**Table 2.2 TEST METHODS**

Facility	SO <sub>2</sub>	H <sub>2</sub> SO <sub>4</sub>	NO <sub>x</sub>	CO	PM	PM <sub>10</sub>	F	NH <sub>3</sub>	TRS	O <sub>2</sub>	Opacity
300 Sulfuric	8	8	7e		5 & 202	5 and 202, or 201A <sup>3</sup> and 202		CTM 027 <sup>1</sup>		3a & 19	9
400 Sulfuric	8	8	7e			5 and 202, or 201A <sup>3</sup> and 202					9
HPB&W Boiler										3a & 19	
Granulation I					5 & 202	5 and 202, or 201A <sup>3</sup> and 202	13B	CTM 027			9
Granulation II					5 & 202	5 and 202, or 201A <sup>3</sup> and 202	13B	CTM 027			9
Granulation III					5 & 202	5 and 202	13B				9
Reclaim Cooling Tower					5 & 202	5 and 202	13B				9
Superphos Acid			7e	10			13B				9
Phosphoric Acid					5 & 202	5 and 202, or 201A <sup>3</sup> and 202	13B		16a		9
Ammonium Sulfate					5 & 202	5 and 202, or 201A <sup>3</sup> and 202					9

<sup>2</sup>Conditional test method (CTM-027)<sup>3</sup>201A cannot be used on stacks with water droplets present.**Compliance Testing**

- 2.16 If testing is required, the permittee shall provide notice of intent to test to DEQ at least 15 days prior to the scheduled test or shorter time period as provided in a permit, order, consent decree, or by DEQ approval. DEQ may, at its option, have an observer present at any emissions tests conducted on a source. DEQ requests such testing not be performed on weekends or state holidays.

All testing shall be conducted in accordance with the procedures in IDAPA 58.01.01.157. Without prior DEQ approval, any alternative testing is conducted solely at the permittee's risk. If the permittee fails to obtain prior written approval by DEQ for any testing deviations, DEQ may determine the testing does not satisfy the testing requirements. Therefore, prior to conducting any compliance test, the permittee is strongly encouraged to submit in writing to DEQ, at least 30 days in advance, the following for approval:

The type of method to be used

- Any extenuating or unusual circumstances regarding the proposed test
- The proposed schedule for conducting and reporting the test

Within 30 days following the date on which a compliance test required by this permit is concluded, the permittee shall submit to DEQ a report for the respective test. The compliance test report shall include all process operating data collected during the test period including a brief explanation of how the process data was measured as well as the test results, raw test data, and associated documentation, including any approved test protocol.

The proposed test date(s), test date rescheduling notice(s), compliance test report, and all other correspondence shall be sent to the following:

Air Quality Permit Compliance

**AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-040313**

<b>Permittee:</b> J.R. Simplot Co. - Don Siding Plant	<b>Facility ID No.</b> 077-00006	<b>Date Issued:</b> Draft for Public Comment
<b>Location:</b> Pocatello, Idaho		<b>Date Expires:</b> December 24, 2007

*The permittee is hereby allowed to operate the equipment described herein subject to all terms and conditions of the permit.*

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Pocatello Regional Office  
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[IDAPA 58.01.01.157, 4/5/00; IDAPA 58.01.01.322.06, 08.a, 09, 5/1/94;  
Tier II Permit No. 077-00006, 12/3/99]

- 2.17 By December 15 of each year, the permittee shall submit to DEQ, a tentative schedule of the source testing to be performed during the following calendar year.

[Tier II Permit No. 077-00006, 12/3/99]

### ***Sulfur Content***

- 2.18 No person shall sell, distribute, use, or make available for use any distillate fuel oil containing more than the following percentages of sulfur:

2.18.1 ASTM Grade 1 fuel oil - 0.3% by weight.

2.18.2 ASTM Grade 2 fuel oil - 0.5% by weight.

[IDAPA 58.01.01.728, 5/1/94]

- 2.19 The permittee shall maintain documentation of the actual sulfur content in percent by weight for each shipment of distillate fuel oil received.

[IDAPA 58.01.01.322.06, 07, 5/1/94]

### ***Recycling and Emissions Reduction***

- 2.20 The permittee shall comply with applicable standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, Recycling and Emissions Reduction.

[40 CFR 82, Subpart F]

### ***Fuel-Burning Equipment***

- 2.21 The permittee shall not discharge PM to the atmosphere from any fuel-burning equipment in excess of 0.015 gr/dscf of effluent gas corrected to 3% oxygen by volume for gas or 0.050 gr/dscf of effluent gas corrected to 3% oxygen by volume for liquid.

[IDAPA 58.01.01.676-677, 5/1/94]

### ***Documentation for Exemptions under IDAPA 58.01.01.200***

- 2.22 Unless the source is subject to, and the owner or operator complies with, IDAPA 58.01.01.385, the owner or operator of the source, except for those sources listed in IDAPA 58.01.01.222.02.a. through 222.02.g., shall maintain documentation on site that shall identify the exemption determined to identify the source and verify that the source qualifies for the identified exemption. The records shall be kept for a period of time not less than five years from the date the exemption determination has been made or for the life of the source for which the exemption has been determined to apply, whichever is greater, or until such time as a permit to construct or an operating permit is issued which

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covers the operation of the source. The owner or operator shall submit the documentation to DEQ upon request.

[IDAPA 58.01.01.220.02, 4/5/00; IDAPA 58.01.01.322.01, 3/19/99]

***Special Studies***

2.23 The permittee shall obtain and keep for at least five years the following process and equipment information:

2.23.1 Reserved.

2.23.2 Ambient fluoride in vegetation used for feed and forage shall be monitored outside the Don Siding Complex at 15 different locations during the growing season. The permittee shall comply with the Air Ambient Monitoring Plan that was required to be developed in the Tier II permit issued December 3, 1999. The Air Ambient Monitoring Plan shall be kept on site and shall be made available to DEQ representatives upon request.

[Tier II Permit No. 077-00006, 12/3/99; IDAPA 58.01.01.322.01, 3/19/99;  
IDAPA 58.01.01.322.07, 5/1/94]

***Reporting Requirements for Ambient Fluoride Monitoring***

2.24 The ambient fluoride in vegetation used for feed and forage monitoring results shall be submitted in an annual report to DEQ no later than December 31 of the calendar year in which the samples were collected. The results shall be reported in parts per million. The permittee shall maintain all fluoride in vegetation monitoring data collected in the Don Siding area for not less than five years.

[Tier II Permit No. 077-00006, 12/3/99; IDAPA 58.01.01.322.07, 5/1/94]

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**3. EMISSIONS UNIT GROUP 1: RESERVED**

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**4. EMISSIONS UNIT GROUP 2: AMMONIUM SULFATE PLANT****Summary Description**

The following is a narrative description of the ammonium sulfate plant regulated in this Tier I operating permit. This description is for informational purposes only.

This process involves making crystalline ammonium sulfate and transferring it to storage and loadout. Recycled Ammsox® scrubber liquor is transferred to the reactor where sulfuric acid and ammonia are added. The product, crystallized ammonium sulfate, is formed in the reactor and removed from the mother liquor by a centrifuge and transferred to a dryer and cooler. Product is transferred from the cooler to the product belt conveyors, which dump to the product stockpile. Product is then transferred by loader from the product stockpile to the reclaim hopper, which feeds a bucket elevator. The bucket elevator chute feeds product into trucks.

Table 4.1 describes the devices used to control emissions from the ammonium sulfate plant.

**Table 4.1 EMISSIONS UNITS, CONTROL DEVICES, AND POINTS**

Emissions Unit(s) / Process(es)	Source ID	Emissions Control Device	Emission Point
Dryer	500	Dryer Venturi scrubber	Dryer stack
Cooler	501	Cooler Venturi scrubber	Cooler stack
Cooler elevator	504.1		
Reactor (crystallizer)	503	Barometric condenser	Vacuum pump vent
Product stockpile and associated materials transfer to and from product stockpile	550, 551, 552	Building enclosure	Fugitive
Bucket elevator material transfer	553, 554	Wind protection	

Table 4.2 contains only a summary of the requirements that apply to the ammonium sulfate plant. Specific permit requirements are listed below Table 4.2.

**Table 4.2 SUMMARY OF EMISSIONS LIMITS**

Permit Conditions	Parameter	Permit Limit / Standard Summary	Applicable Requirements Reference	Monitoring and Record-keeping Requirements
4.1	PM	2.44 lb/hr, 10.68 T/yr Process weight rate	Tier II Permit No. 077-00006 IDAPA 58.01.01.701	4.9, 4.10, 4.11, 4.15, 4.16, 4.17
4.3	PM <sub>10</sub>	2.0 lb/hr, 8.76 T/yr	Tier II Permit No. 077-00006	4.9, 4.10, 4.11, 4.15, 4.16, 4.17
4.4	SO <sub>2</sub>	0.0007 lb/hr, 0.003 T/yr	Tier II Permit No. 077-00006	4.10, 4.12
4.5	CO	0.07 lb/hr, 0.3 T/yr		
4.6	NO <sub>x</sub>	0.25 lb/hr, 1.1 T/yr		
4.7	Fugitive PM	2.52 lb/hr, 11.04 T/yr	Tier II Permit No. 077-00006	4.8, 4.13
4.8	Fugitive PM <sub>10</sub>	0.90 lb/hr, 3.92 T/yr	Tier II Permit No. 077-00006	4.8, 4.14

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**Permit Limits / Standard Summary**

- 4.1 The total PM emissions from the combined dryer and cooler stacks shall not exceed 2.44 lb/hr and 10.68 T/yr. The ton-per-year rate shall be determined by multiplying the actual or allowable (if actual is not available) pound-per-hour emissions rate by the actual hours per year the process(es) venting to this stack operate(s).  
[Tier II Permit No. 077-00006, 12/03/99]
- 4.2 Based on the process weight rate equation the limit is 12.5 lb/hr. Because Condition 4.1 is more stringent, compliance with Permit Condition 4.1 shall be deemed compliance with Permit Condition 4.2.  
[IDAPA 58.01.01.701, 4/5/00]
- 4.3 The total PM<sub>10</sub> emissions from the combined dryer and cooler stacks shall not exceed 2.0 lb/hr and 8.76 T/yr. The ton-per-year rate shall be determined by multiplying the actual or allowable (if actual is not available) pound-per-hour emission rate by the actual hours per year the process(es) venting to this stack operate(s).  
[Tier II Permit No. 077-00006, 12/03/99]
- 4.4 The total SO<sub>2</sub> emissions from the combined dryer and cooler stacks shall not exceed 0.0007 lb/hr and 0.003 T/yr.  
[Tier II Permit No. 077-00006, 12/03/99]
- 4.5 The total CO emissions from the combined dryer and cooler stacks shall not exceed 0.07 lb/hr and 0.3 T/yr.  
[Tier II Permit No. 077-00006, 12/03/99]
- 4.6 The total NO<sub>x</sub> emissions from the combined dryer and cooler stacks shall not exceed 0.25 lb/hr and 1.1 T/yr.  
[Tier II Permit No. 077-00006, 12/03/99]
- 4.7 Fugitive particulate emissions from this process shall not exceed 2.52 lb/hr and 11.04 T/yr.  
[Tier II Permit No. 077-00006, 12/03/99]
- 4.8 Fugitive PM<sub>10</sub> emissions from this process shall not exceed 0.90 lb/hr and 3.92 T/yr.  
[Tier II Permit No. 077-00006, 12/03/99]

**Operating Requirements**

- 4.9 Maintenance to the corresponding scrubber and process shall be performed if visible emissions from one of the stacks exceed 15% opacity.  
[Tier II Permit No. 077-00006, 12/03/99; IDAPA 58.01.01.322.01, 3/19/99]



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- 4.10 Prior to December 24, 2003, the permittee shall develop an O&M manual for each wet scrubber system which describes the procedures that will be followed to comply with Permit Conditions 4.1, and 4.3 through 4.5. The O&M manual shall be developed based on manufacturer specifications and the compliance test data obtained in Permit Condition 4.11. The O&M manual shall remain on site at all times and shall be made available to DEQ representatives upon request. The permittee shall operate each scrubber system in accordance with the O&M manual.

**[IDAPA 58.01.01.322.01, 3/19/99]**

**Compliance Tests**

- 4.11 The permittee shall conduct compliance tests within 12 months of, or 12 months prior to, December 24, 2002 to demonstrate compliance with the PM and PM<sub>10</sub> hourly emissions limits in Permit Conditions 4.1 and 4.3. After the first compliance test, the permittee shall conduct a compliance test once per annum to demonstrate compliance with hourly PM and PM<sub>10</sub> emissions limits in Permit Conditions 4.1 and 4.3.

During calendar years 2003, 2004, and 2005, compliance with the PM<sub>10</sub> emissions limit in Permit Condition 4.3 shall be determined by conducting a Method 5 performance test. The PM<sub>10</sub> fraction of the PM emission rate measured during the test shall be determined by multiplying the PM emission rate by a 0.82 conversion factor.

During calendar years 2004 and 2005, Method 5 and 202 performance tests shall be conducted in addition to the Method 5 test. All performance testing shall be conducted in accordance with Permit Condition 2.16.

No later than September 30, 2005, Simplot shall submit a permit application to revise the PM<sub>10</sub> emissions limits to reflect the results of the Method 5 and 202 performance tests. The permit application shall contain justification for each emission limit proposed. Once DEQ issues a permit with revised PM<sub>10</sub> emissions limits, compliance with Permit Condition 4.3 shall be determined by source testing using Methods 5 and 202.

- 4.11.1 The permittee shall record the ammonium sulfate plant production rate, the pressure drop across each scrubber, and the flow rate of the scrubber liquid to each scrubber during source tests.
- 4.11.2 The permittee shall conduct a visible emissions evaluation during each compliance test. The visible emissions evaluation shall be conducted in accordance with the procedures contained in IDAPA 58.01.01.625.

**[IDAPA 58.01.01.322.06, 07, 5/1/94; Tier II Permit No. 077-00006, 12/3/99]**

**Monitoring and Recordkeeping Requirements**

- 4.12 To demonstrate compliance with emissions limits in Permit Conditions 4.4 through 4.6, the permittee shall continuously monitor the amount of natural gas fired in the dryer. On a monthly basis, the permittee shall record the natural gas consumption for the previous month and for the previous rolling 12-month period.

**[IDAPA 58.01.01.322.01, 3/19/99; IDAPA 58.01.01.322.06, 07, 5/1/94;  
IDAPA 58.01.01.322.08, 4/5/00]**

- 4.12.1 The permittee shall monitor and record the hours of operation of the dryer on a monthly basis.

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**[IDAPA 58.01.01.322.06, 07, 5/1/94]**

- 4.12.2 The permittee shall calculate the emissions of SO<sub>2</sub>, CO, and NO<sub>x</sub> from the dryer on a monthly basis using AP-42 Section 1.4 (3/98) emission factors, or a DEQ-approved alternative.

**[IDAPA 58.01.01.322.06, 07, 5/1/94]**

- 4.13 The permittee shall demonstrate compliance with the fugitive PM emission limits in Permit Condition 4.6 using the method specified in SIP inventory, which can be found in Simplot's June 29, 2000 Tier I/II application, Appendix D.

**[IDAPA 58.01.01.322.06, 5/1/94]**

- 4.14 The permittee shall demonstrate compliance with the fugitive PM<sub>10</sub> emission limits in Permit Condition 4.7 using the method specified in SIP inventory, which can be found in Simplot's June 29, 2000 Tier I/II application, Appendix D.

**[IDAPA 58.01.01.322.06, 5/1/94]**

- 4.15 The permittee shall monitor the fluid flow rate to each scrubber. The flow rate shall be recorded once per 24-hour period in gallons per minute (gpm).

**[Tier II Permit No. 077-00006, 12/3/99; IDAPA 58.01.01.322.06, 07, 5/1/94]**

- 4.16 The permittee shall monitor the pressure drop across each scrubber. The pressure drop shall be recorded once per 24-hour period as inches of water column.

**[Tier II Permit No. 077-00006, 12/3/99; IDAPA 58.01.01.322.06, 07, 5/1/94]**

- 4.17 The permittee shall maintain an emissions control equipment maintenance log. This log shall be made available to DEQ representatives upon request.

**[Tier II Permit No. 077-00006, 12/3/99]**

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**5. EMISSIONS UNIT GROUP 3: HPB&W BOILER****Summary Description**

The following is a narrative description of the Babcock & Wilcox boiler (HPB&W) regulated in this Tier I operating permit. This description is for informational purposes only.

The HPB&W boiler, Model No. FM 106-97, is a natural gas-fired boiler equipped with a LoNO<sub>x</sub><sup>®</sup> burner. It has a steam capacity of 120,000 lb of steam per hour and heat input rating of 175,000,000 Btu/hr. The boiler is used to maintain the steam needs of the facility.

Table 5.1 specifies the emissions point related to the emissions unit.

**Table 5.1 EMISSIONS UNIT AND POINT**

Source ID	Emissions Unit	Emissions Control Device	Emissions Point
1000.0	HPB&W boiler	N/A	Boiler stack

Table 5.2 contains only a summary of the requirements that apply to the HPB&W boiler. Specific permit requirements are listed below Table 5.2.

**Table 5.2 SUMMARY OF EMISSIONS LIMITS**

Permit Conditions	Parameter	Permit Limit / Standard Summary	Applicable Requirements Reference	Monitoring and Record-keeping Requirements
5.1	PM/PM <sub>10</sub>	1.33 lb/hr, 5.83 T/yr	PTC No. 077-00006	5.10 to 5.12, 5.19, 5.20
5.2	SO <sub>2</sub>	0.11 lb/hr, 0.46 T/yr	PTC No. 077-00006	5.10 to 5.12, 5.20
5.3	NO <sub>x</sub>	7.00 lb/hr, 30.7 T/yr	PTC No. 077-00006	5.10 to 5.23
5.4	NO <sub>x</sub>	0.04 lb/MMBtu	PTC No. 077-00006	5.10 to 5.23
		0.10 lb/MMBtu	40 CFR 60.44b(a)(1)	
5.5	VOC	0.96 lb/hr, 4.22 T/yr	PTC No. 077-00006	5.10 to 5.12, 5.19, 5.20
5.6	CO	14.0 lb/hr, 61.3 T/yr	PTC No. 077-00006	5.10 to 5.12, 5.19, 5.20
5.7	PM	0.015 gr/dscf corrected to 3% oxygen	IDAPA 58.01.01.676; PTC No. 077-00006,	5.10, 5.11
5.10	Fuel usage	0.175 MMcf/hr, 1,533 MMcf/yr	PTC No. 077-00006,	5.19

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**Permit Limits / Standard Summary**

- 5.1 The PM and PM<sub>10</sub> emissions shall not exceed 1.33 lb/hr and 5.83 T/yr.  
[PTC No. 077-00006, 9/20/00]
- 5.2 The SO<sub>2</sub> emissions shall not exceed 0.11 lb/hr and 0.46 T/yr.  
[PTC No. 077-00006, 9/20/00]
- 5.3 The NO<sub>x</sub> emissions shall not exceed 7.00 lb/hr and 30.7 T/yr.  
[PTC No. 077-00006, 9/20/00]
- 5.4 The NO<sub>x</sub> emissions shall not exceed 0.04 lb/MMBtu.  
[40 CFR 60.44b(a)(1); PTC No. 077-00006, 9/20/00]
- 5.5 The VOC emissions shall not exceed 0.96 lb/hr and 4.22 T/yr.  
[PTC No. 077-00006, 9/20/00]
- 5.6 The CO emissions shall not exceed 14.0 lb/hr and 61.3 T/yr.  
[PTC No. 077-00006, 9/20/00]
- 5.7 The PM from the boiler stack shall not exceed a concentration of 0.015 grains per dry standard cubic foot corrected to 3% oxygen.  
[IDAPA 58.01.01.676, 05/01/94; PTC No. 077-00006, 9/20/00]
- 5.8 For purposes of compliance with Permit Condition 5.9, the NO<sub>x</sub> standards in Permit Condition 5.4 apply at all times including periods of startup, shutdown, or malfunction.  
[40 CFR 60.44b(h)]
- 5.9 Compliance with the NO<sub>x</sub> emissions limit in Permit Condition 5.4 is determined on a 30-day rolling average basis.  
[40 CFR 60.44b(i); PTC No. 077-00006, 9/20/00]

**Operating Requirement**

- 5.10 The maximum hourly natural gas throughput of the boiler shall not exceed 0.175 MMcf/hr. The maximum annual natural gas throughput of the boiler shall not exceed 1,533 MMcf/yr.  
[PTC No. 077-00006, 9/20/00]
- 5.11 The boiler shall only use natural gas as fuel.  
[PTC No. 077-00006, 9/20/00]

**Monitoring and Record-keeping Requirements**

- 5.12 An O&M manual for the boiler and LoNO<sub>x</sub> - EGR systems shall remain on site at all times.  
[PTC No. 077-00006, 9/20/00]

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- 5.13 The permittee shall install, calibrate, and operate a NO<sub>x</sub> CEMS for measuring emissions discharged to the atmosphere and record the output of the system.  
**[PTC No. 077-00006, 9/20/00; 40 CFR 60.48b(b)]**
- 5.14 The NO<sub>x</sub> CEMS shall be operated and data recorded during all periods of operation of the affected facility except for continuous monitoring system breakdowns and repairs. Data is recorded during calibration checks and zero and span adjustments.  
**[PTC No. 077-00006, 9/20/00; 40 CFR 60.48b(c)]**
- 5.15 The one-hour average NO<sub>x</sub> emission rates measured by the NO<sub>x</sub> CEMS shall be expressed in lb/MMBtu heat input and shall be used to calculate the average 30-day emissions rates under Permit Condition 5.4. The one-hour averages shall be calculated using the data points required under 40 CFR 60.13(b). At least two data points must be used to calculate each one-hour average.  
**[PTC No. 077-00006, 9/20/00; 40 CFR 60.13(b), 48b(d)]**
- 5.16 The NO<sub>x</sub> CEMS must meet all requirements set forth in 40 CFR 60.13 (provided in Appendix B).  
**[PTC No. 077-00006, 9/20/00; 40 CFR 60.13(b), 48b(e)]**
- 5.17 The span value for NO<sub>x</sub> CEMS is 500 ppm.  
**[PTC No. 077-00006, 9/20/00; 40 CFR 60.13(b), 48b(e)(2)]**
- 5.18 When NO<sub>x</sub> emissions data is not obtained because of CEMS breakdowns, repairs, calibration checks, and zero and span adjustments, emissions data will be obtained by using standby monitoring systems, EPA Method 7, EPA Method 7A, or other approved reference methods to provide emissions data for a minimum of 75% of the operating hours in each steam-generating unit operating day for at least 22 out of 30 successive steam-generating unit operating days.  
**[PTC No. 077-00006, 9/20/00; 40 CFR 60.13(b), 48b(f)]**
- 5.19 Each operating day, the permittee shall monitor and record the natural gas usage for that day, in MMcf/day. Once per month, the permittee shall record the total natural gas usage for the previous rolling 12-month period, in MMcf/yr.  
**[PTC No. 077-00006, 9/20/00]**
- 5.20 The permittee shall calculate the emissions of SO<sub>2</sub>, CO, and NO<sub>x</sub> from the boiler on a monthly basis using AP-42 Section 1.4 (3/98) emission factors, or a DEQ-approved alternative.  
**[IDAPA 58.01.01.322.06, 07, 5/1/94]**
- 5.21 The permittee shall calculate the annual capacity factor for each calendar quarter, and determine the annual capacity factor based on a 12-month rolling average basis with a new annual capacity factor calculated at the end of each calendar month.  
**[PTC No. 077-00006, 9/20/00; 40 CFR 60.49b(d)]**
- 5.22 The permittee shall maintain the following records for each boiler operating day:
- 5.22.1 Calendar date
- 5.22.2 The average hourly NO<sub>x</sub> emission rates (expressed as NO<sub>2</sub>) measured as lb/MMBtu heat input.

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- 5.22.3 The 30-day average NO<sub>x</sub> emission rate (lb/MMBtu heat input) calculated at the end of each boiler operating day from the measured hourly NO<sub>x</sub> emission rates for the preceding 30 boiler operating days.
- 5.22.4 Identification of the boiler operating days when the calculated 30-day average NO<sub>x</sub> emissions rates are in excess of the NO<sub>x</sub> emissions standards in Permit Condition 5.3 and 5.4, with the reasons for such excess emissions as well as a description of corrective actions taken.
- 5.22.5 Identification of the boiler operating days for which pollutant data have not been obtained, including reasons for not obtaining sufficient data and a description of corrective actions taken.
- 5.22.6 Identification of the times when emissions data have been excluded from the calculation of average emissions rates and the reasons for excluding data.
- 5.22.7 Identification of "F" factor used for calculations, method determination, and type of fuel combusted. An "F" factor is the ratio of the gas volume of the products of combustion to the heat content of the fuel.
- 5.22.8 Identification of the times when the pollutant concentration exceeded the full span of the CEMS.
- 5.22.9 Description of any modifications to the continuous emissions monitoring system that could affect the ability of the CEMS to comply with Performance Specification 2 or 3.
- 5.22.10 Results of daily CEMS drift tests and quarterly accuracy assessments as required under 40 CFR 60, Appendix F, Procedure 1.
- 5.22.11 The number of hours of operation of the boiler.

**[PTC No. 077-00006, 9/20/00; 40 CFR 60.49b(g) et al; IDAPA 58.01.01.06, .07, 5/1/94]**

### **Reporting**

- 5.23 The permittee shall submit a quarterly report containing the information recorded under Permit Condition 5.22. All quarterly reports shall be postmarked within 30 days following the end of each calendar quarter.

**[PTC No. 077-00006, 9/20/00; 40 CFR 60.49b(i)]**

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*The permittee is hereby allowed to operate the equipment described herein subject to all terms and conditions of the permit.*

**6. EMISSIONS UNIT GROUP 4: BABCOCK AND WILCOX BOILER****Summary Description**

The following is a narrative description of the Babcock and Wilcox boiler regulated in this Tier I operating permit. This description is for informational purposes only.

The boiler is equipped with a COEN QLN, low NO<sub>x</sub> spud-type burner. The boiler has a design capacity of 58,000 lb of steam per hour and a burner capacity of 63.8 million Btu/hr.

Table 6.1 specifies the emissions point related to the emissions unit.

**Table 6.1 EMISSIONS UNIT AND POINT**

Source ID	Emissions Unit	Emissions Control Device	Emission Point
1002.0	Babcock and Wilcox boiler	N/A	Boiler stack

Table 6.2 contains only a summary of the requirements that apply to the Babcock and Wilcox boiler. Specific permit requirements are listed below Table 6.2.

**Table 6.2 SUMMARY OF EMISSIONS LIMITS**

Permit Conditions	Parameter	Permit Limit / Standard Summary	Applicable Requirements Reference	Monitoring and Record-keeping Requirements
6.1	PM	0.64 lb/hr, 2.79 T/yr	PTC No. 077-00006	6.8 to 6.13
6.2	PM <sub>10</sub>	0.32 lb/hr, 1.40 T/yr	PTC No. 077-00006	6.8 to 6.13
6.3	SO <sub>2</sub>	0.04 lb/hr, 0.17 T/yr	PTC No. 077-00006	6.8 to 6.13
6.4	NO <sub>x</sub>	2.88 lb/hr, 12.63 T/yr	PTC No. 077-00006	6.8 to 6.13
6.5	CO	11.7 lb/hr, 51.1 T/yr	PTC No. 077-00006	6.8 to 6.13
6.6	VOC	0.19 lb/hr, 0.84 T/yr	PTC No. 077-00006	6.8 to 6.13
6.7	PM	0.015 gr/dscf corrected to 3% oxygen	IDAPA 58.01.01.676	None
6.9	Fuel usage	559 MMcf/yr	PTC No. 077-00006	6.10, 6.11

**Permit Limits / Standard Summary**

- 6.1 The PM emissions from the boiler exhaust stack shall not exceed 0.64 lb/hr and 2.79 T/yr.  
[PTC No. 077-00006, 06/16/95]
- 6.2 The PM<sub>10</sub> emissions from the boiler exhaust stack shall not exceed 0.32 lb/hr and 1.40 T/yr.  
[PTC No. 077-00006, 06/16/95]
- 6.3 The SO<sub>2</sub> emissions from the boiler exhaust stack shall not exceed 0.04 lb/hr and 0.17 T/yr.  
[PTC No. 077-00006, 06/16/95]

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- 6.4 The NO<sub>x</sub> emissions from the boiler exhaust stack shall not exceed 2.88 lb/hr and 12.63 T/yr.  
[PTC No. 077-00006, 06/16/95]
- 6.5 The CO emissions from the boiler exhaust stack shall not exceed 11.7 lb/hr and 51.1 T/yr.  
[PTC No. 077-00006, 06/16/95]
- 6.6 The VOC emissions from the boiler exhaust stack shall not exceed 0.19 lb/hr, and 0.84 T/yr.  
[PTC No. 077-00006, 06/16/95]
- 6.7 Particulate emissions from the boiler stack shall not exceed a concentration of 0.015 grains per dry standard cubic foot corrected to 3% oxygen.  
[IDAPA 58.01.01.676, 05/01/94]

***Operating Requirement***

- 6.8 The Babcock and Wilcox boiler shall only use natural gas as fuel.  
[PTC No. 077-00006, 06/16/95]
- 6.9 The Babcock and Wilcox boiler shall not burn more than 559,000,000 cf of natural gas per year.  
[PTC No. 077-00006, 06/16/95]

***Monitoring and Record-keeping Requirements***

- 6.10 The permittee shall record and maintain records of the amounts of natural gas combusted during each day.  
[PTC No. 077-00006, 06/16/95; 40 CFR 60.48c(g); 40 CFR 60.48c(i); IDAPA 58.01.01.322.06, 07, 5/1/94]
- 6.11 The permittee shall record the cumulative volume of natural gas fuel consumed by the Babcock and Wilcox boiler on a monthly basis. The permittee shall record the total natural gas usage in MMcf per rolling 12-month period. The records shall be kept on site for at least five years and shall be made available to DEQ representatives upon request.  
[IDAPA 58.01.01.322.06, 07, 5/1/94]
- 6.12 The permittee shall calculate the emissions of SO<sub>2</sub>, CO, and NO<sub>x</sub> from the boiler on a monthly basis using AP-42 Section 1.4 (3/98) emission factors, or a DEQ-approved alternative.  
[IDAPA 58.01.01.322.06, 07, 5/1/94]

***Reporting***

- 6.13 The permittee shall comply with 40 CFR 60.7, as contained in Appendix B, for notification and record-keeping requirements.  
[40 CFR 60.7]



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**7. EMISSIONS UNIT GROUP 5: GRANULATION NO. 1 PROCESS****Summary Description**

The following is a narrative description of the Granulation No. 1 process regulated in this Tier I operating permit. This description is for informational purposes only.

Ammonia, phosphoric acid, gypsum, and sulfuric acid are mixed in a reactor to form a slurry. This slurry is then mixed with recycled fine product in a granulator where the slurry coats the outside of the recycled product to increase the particle size. The granulated product is then dried and screened. The oversized material is crushed and recycled with the fine product. The intermediate fraction is the final product, which is cooled and conveyed to storage. In the storage building, the final product is transferred by front-end loader to a transfer conveyor, which feeds the product transfer system. The product transfer system then loads trucks and/or railcars.

Table 7.1 describes the emissions points related to each emissions unit of the Granulation No. 1 process and the devices used to control emissions.

**Table 7.1 EMISSIONS UNITS, CONTROL DEVICES, AND POINTS**

Emissions Point Identification	Emissions Unit(s) / Process(es)	Emissions Control Device	Emissions Point
400.0	Dryer granulation No.1 baghouse (and cooler baghouse) stack	Dryer scrubber	Granulation No. 1 dryer stack
401.0	Granulator	Reactor/granulator scrubber	Granulation No. 1 reactor/ granulator stack
403.0	Reactor		
406.0	Cooler	Cooler baghouse	Dryer burner
407.1	Polishing screen	Granulation No. 1 baghouse	Granulation No. 1 baghouse stack
411.1	Fines drag		
412.1	Elevator to granulator		
413.1	Elevator to screens		
414.2	Reject conveyor to fines drag		
419.0	Product dump from overhead	Reasonable control of fugitive emissions (enclosure)	Fugitive
420.0	Front-end loader operation		
421.0	Underground conveyor		
422.0	Elevator		
423.0	Crossover belt		
423.1	Screens for crossover belt		
424.0	Bulking loadout		

Table 7.2 contains only a summary of the requirements that apply to the Granulation No. 1 process. Specific permit requirements are listed below Table 7.2.

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**Date Expires:** December 24, 2007

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**Table 7.2 SUMMARY OF EMISSIONS LIMITS AND REQUIREMENTS**

Permit Conditions	Parameter	Permit Limit / Standard Summary	Applicable Requirements Reference	Monitoring and Recordkeeping Requirements
7.1	PM	23.8 lb/hr, 104.26 T/yr (all stacks combined) Process weight rate (all stacks combined)	Tier II Permit No. 077-00006 IDAPA 58.01.01.702	7.11 to 7.13, 7.18
7.2	PM <sub>10</sub>	19.52 lb/hr, 85.48 T/yr (all stacks combined)	Tier II Permit No. 077-00006	7.11 to 7.13, 7.18
7.3	Fluorides	7.8 lb/hr, 34.16 T/yr	Tier II Permit No. 077-00006	7.10, 7.14, 7.15, 7.16, 7.17, 7.19, 7.23 to 7.27
		0.060 lb total fluoride/T equivalent P <sub>2</sub> O <sub>5</sub> feed (all stacks combined)	40 CFR 63.622(a)	
7.4	NO <sub>x</sub>	1.44 lb/hr, 6.3 T/yr (all stacks combined)	Tier II Permit No. 077-00006	7.20, 7.21
7.5	CO	0.37 lb/hr, 1.6 T/yr (all stacks combined)	Tier II Permit No. 077-00006	7.20, 7.21
7.6	SO <sub>2</sub>	0.004 lb/hr, 0.019 T/yr (all stacks combined)	Tier II Permit No. 077-00006	7.20, 7.21
7.7	PM fugitives	7.03 lb/hr, 30.78 T/yr	Tier II Permit No. 077-00006	7.22
7.8	PM <sub>10</sub> fugitives	2.54 lb/hr, 11.12 T/yr	Tier II Permit No. 077-00006	
7.9	Fluoride fugitives	0.070 lb/hr, 0.308 T/yr	Tier II Permit No. 077-00006	

**Permit Limits / Standard Summary**

7.1 The permittee shall comply with the following PM emission limits:

7.1.1 The total PM emissions from the combined Granulation No. 1 process stacks shall not exceed 23.8 lb/hr, and shall not exceed 104.26 T/yr. The ton-per-year emissions limit shall be determined by multiplying the actual or allowable (if actual is not available) pound-per-hour emission rate by the actual hours per year the process(es) venting to this stack operate(s).

[Tier II Permit No. 077-00006, 12/3/99]

7.1.2 Based on the process weight rate equation the limit is 25.6 lb/hr. Because Permit Condition 7.1.1 is more stringent, compliance with Permit Condition 7.1.1 shall be deemed compliance with Permit Condition 7.1.2.

[IDAPA 58.01.01.702, 4/5/00]

7.2 The PM<sub>10</sub> emissions from the combined Granulation No. 1 process stacks shall not exceed 19.52 lb/hr, and 85.48 T/yr. The ton-per-year emissions limit shall be determined by multiplying the actual or allowable (if actual is not available) pound-per-hour emission rate by the actual hours per year the process(es) venting to this stack operate(s).

[Tier II Permit No. 077-00006, 12/3/99]

7.3 The permittee shall comply with the following emission limits for total fluoride:

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- 7.3.1 Total fluoride emissions from the combined Granulation No. 1 process stacks shall not exceed 7.8 lb/hr and 34.16 T/yr. The ton-per-year emissions limit shall be determined by multiplying the actual, or allowable (if actual is not available), pound-per-hour emission rate by the actual hours per year the process(es) venting to this stack operate(s).  
[Tier II Permit No. 077-00006, 12/3/99]
- 7.3.2 On and after the date on which the performance test required to be conducted by 40 CFR 63.7 and Permit Condition 7.19 must be completed, no owner or operator subject to the provisions of 40 CFR 63, Subpart BB shall cause to be discharged to the atmosphere from any affected source any gases which contain total fluorides in excess of 30 grams/metric ton of equivalent P<sub>2</sub>O<sub>5</sub> feed (0.060 lb/T).  
[40 CFR 63.622(a)]
- 7.4 The NO<sub>x</sub> emissions from the combined Granulation No. 1 process stacks shall not exceed 1.44 lb/hr and 6.3 T/yr.  
[Tier II Permit No. 077-00006, 12/3/99]
- 7.5 The CO emissions from the combined Granulation No. 1 process stacks shall not exceed 0.37 lb/hr and 1.6 T/yr.  
[Tier II Permit No. 077-00006, 12/3/99]
- 7.6 The SO<sub>2</sub> emissions from the combined Granulation No. 1 process stacks shall not exceed 0.004 lb/hr and 0.019 T/yr.  
[Tier II Permit No. 077-00006, 12/3/99]
- 7.7 Fugitive PM emissions from the Granulation No. 1 process shall be reasonably controlled, as required in IDAPA 58.01.01.650 and 651, and shall not exceed 7.03 lb/hr and 30.78 T/yr.  
[IDAPA 58.01.01.650-651, 5/1/94; Tier II Permit No. 077-00006, 12/3/99]
- 7.8 Fugitive PM<sub>10</sub> emissions from the Granulation No. 1 process shall be reasonably controlled, as required in IDAPA 58.01.01.650 and 651, and shall not exceed 2.54 lb/hr and 11.12 T/yr.  
[IDAPA 58.01.01.650-651, 5/1/94; Tier II Permit No. 077-00006, 12/3/99]
- 7.9 Fugitive fluoride emissions from the Granulation No.1 process shall be reasonably controlled, as required in IDAPA 58.01.01.650 and 651, and shall not exceed 0.070 lb/hr and 0.308 T/yr.  
[IDAPA 58.01.01.650-651, 5/1/94; Tier II Permit No. 077-00006, 12/3/99]

### **Operating Requirements**

- 7.10 On or after the date on which the performance test required to be conducted by 40 CFR 63.7 and Permit Condition 7.19 is required to be completed, the owner/operator using a wet scrubbing emission control system must maintain daily averages of the pressure drop across each scrubber and of the flow rate of the scrubbing liquid to each scrubber within the allowable ranges established pursuant to the requirements of 7.17(1) or (2).  
[40 CFR 63.624]
- 7.11 Maintenance to the scrubbers and/or process maintenance shall be performed if visible emissions from the scrubber stacks exceed 15% opacity. A record of maintenance shall be maintained on site for the most recent five years and shall be made available to DEQ representatives upon request.

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**[Tier II Permit No. 077-00006, 12/3/99]**

- 7.12 Maintenance to the baghouse shall be performed if visible emissions from the baghouse stack exceed 10% opacity. A record of maintenance shall be maintained on site for the most recent five years and shall be made available to DEQ representatives upon request.

**[Tier II Permit No. 077-00006, 12/3/99]**

**Monitoring, Compliance Tests, and Compliance Provisions**

- 7.13 The permittee shall monitor the pressure drop across the baghouse to ensure control of PM and PM<sub>10</sub>. The pressure drop shall be recorded weekly.

**[Tier II Permit No. 077-00006, 12/3/99; IDAPA 58.01.01.322.06, 5/1/94]**

- 7.14 Each owner or operator of a new or existing diammonium and/or monoammonium phosphate process line or granular triple superphosphate process line subject to the provisions of 40 CFR 63, Subpart BB shall install, calibrate, maintain, and operate a monitoring system which can be used to determine and permanently record the mass flow of phosphorus-bearing feed material to the process. The monitoring system shall have an accuracy of  $\pm 5\%$  over its operating range.

**[40 CFR 63.625(a)]**

- 7.15 Each owner or operator of a new or existing diammonium and/or monoammonium phosphate process line or granular triple superphosphate process line subject to the provisions of 40 CFR 63, Subpart BB shall maintain a daily record of equivalent P<sub>2</sub>O<sub>5</sub> feed by first determining the total mass rate in metric ton/hour of phosphorus bearing feed using a monitoring system for measuring mass flow rate which meets the requirements of paragraph (a) of this section and then by proceeding according to Permit Condition 7.19.3(3).

**[40 CFR 63.625(b)]**

Each owner or operator of a new or existing diammonium and/or monoammonium phosphate process line, granular triple superphosphate process line, or granular triple superphosphate storage building using a wet scrubbing emission control system shall install, calibrate, maintain, and operate the following monitoring systems:

- (1) A monitoring system which continuously measures and permanently records the pressure drop across each scrubber in the process scrubbing system in 15-minute block averages. The monitoring system shall be certified by the manufacturer to have an accuracy of  $\pm 5\%$  over its operating range.
- (2) A monitoring system which continuously measures and permanently records the flow rate of the scrubbing liquid to each scrubber in the process scrubbing system in 15-minute block averages. The monitoring system shall be certified by the manufacturer to have an accuracy of  $\pm 5\%$  over its operating range.

**[40 CFR 63.625(c)]**

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7.17 Following the date on which the performance test required in Permit Condition 7.19 is completed, the owner or operator of a new or existing affected source using a wet scrubbing emission control system and subject to emissions limitations for total fluorides or particulate matter contained in 40 CFR 63, Subpart BB must establish allowable ranges for operating parameters using the methodology of either paragraph (1) or (2) of this section:

- (1) The allowable range for the daily averages of the pressure drop across each scrubber and of the flow rate of the scrubbing liquid to each scrubber in the process scrubbing system is  $\pm 20\%$  of the baseline average value determined as a requirement of Permit Condition 7.19.3(4). The Administrator retains the right to reduce the  $\pm 20\%$  adjustment to the baseline average values of operating ranges in those instances where performance test results indicate that a source's level of emissions is near the value of an applicable emissions standard, but in no instance shall the adjustment be reduced to less than  $\pm 10\%$ . The owner or operator must notify the Administrator of the baseline average value and must notify the Administrator each time that the baseline value is changed as a result of the most recent performance test. When a source using the methodology of this paragraph is retested, the owner or operator shall determine whether new allowable ranges of baseline average values will be based upon the new performance test or (if the new performance test results are within the previously established range) whether there will be no change in the operating parameters derived from previous tests. When a source using the methodology of this paragraph is retested and the performance test results are submitted to the Administrator pursuant to Permit Condition 7.25(1), 63.7(g)(1), and/or 63.10(d)(2), the owner or operator will indicate whether the operating range will be based on the new performance test or the previously established range. If the Administrator has not denied approval of the new operating ranges within 30 days of submission of the performance test results, the new ranges shall be deemed approved and the new baseline value shall then be effective on the 31st day following submission.
- (2) The owner or operator of any new or existing affected source shall establish, and provide to the Administrator for approval, allowable ranges for the daily averages of the pressure drop across and of the flow rate of the scrubbing liquid to each scrubber in the process scrubbing system for the purpose of assuring compliance with 40 CFR 63, Subpart BB. Allowable ranges may be based upon baseline average values recorded during previous performance tests using the test methods required in Permit Condition 7.19.3(4). As an alternative, the owner or operator can establish the allowable ranges using the results of performance tests conducted specifically for the purposes of this paragraph using the test methods required in 40 CFR 63, Subpart BB and established in the manner required in Permit Condition 7.19.3(4). The source shall certify that the control devices and processes have not been modified subsequent to the testing upon which the data used to establish the allowable ranges were obtained. The allowable ranges developed pursuant to the provisions of this paragraph must be submitted to the Administrator for approval. The owner or operator must request and obtain approval of the Administrator for changes to the allowable ranges. When a source using the methodology of this paragraph is retested, the owner or operator shall determine new allowable ranges of baseline average values unless the retest indicates no change in the operating parameters outside the previously established ranges. If the Administrator has not denied approval of the new operating ranges within 30 days of submission of the performance test results, the new ranges shall be deemed approved and the new baseline value shall then be effective on the 31st day following submission.

[40 CFR 63.625(f)]

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**7.18 PM and PM<sub>10</sub> Compliance Test**

- 7.18.1 The permittee shall conduct compliance tests within 12 months of, or 12 months prior to, December 24, 2002 to demonstrate compliance with the PM and PM<sub>10</sub> hourly emissions limits in Permit Conditions 7.1 and 7.2. After the first compliance test, the permittee shall conduct a compliance test once per annum to demonstrate compliance with hourly PM and PM<sub>10</sub> emissions limits in Permit Conditions 7.1 and 7.2.

During calendar years 2003, 2004, and 2005, compliance with the PM<sub>10</sub> emissions limit in Permit Condition 7.2 shall be determined by conducting a Method 5 performance test on the dryer stack, the reactor/granulator stack, and the baghouse stack. The PM<sub>10</sub> fraction of the PM emission rate determined during the test shall be determined by multiplying the PM emission rate by a 0.82 conversion factor.

During calendar years 2004 and 2005, Method 201A and 202 performance tests shall be conducted on the baghouse stack in addition to the Method 5 test. During calendar years 2004 and 2005 Method 5 and 202 performance tests shall be conducted on the dryer stack and reactor/granulator stack in addition to the Method 5 test. All performance testing shall be conducted in accordance with Permit Condition 2.16.

No later than September 30, 2005, Simplot shall submit a permit application to revise the PM<sub>10</sub> emissions limits to reflect the results of the Method 201A and 202, and Method 5 and 202 performance tests. The permit application shall contain justification for each emission limit proposed. Once DEQ issues a permit with revised PM<sub>10</sub> emissions limits, compliance with Permit Condition 7.2 shall be determined by source testing using Methods 201A and 202 on the baghouse stack and Methods 5 and 202 on the dryer stack and reactor/granulator stack..

- 7.18.2 The permittee shall record the equivalent P<sub>2</sub>O<sub>5</sub> feed rate to the process, the pressure drop across the baghouse, the pressure drop across each scrubber, and the flow rate of the scrubber liquid to each scrubber during compliance tests.
- 7.18.3 The permittee shall conduct a visible emissions evaluation during each performance test. The visible emissions evaluation shall be conducted in accordance with the procedures contained in IDAPA 58.01.01.625.

**[IDAPA 58.01.01.322.06, 5/1/94; Tier II Permit No. 077-00006, 12/3/99]**

**7.19 Total Fluoride Compliance Test**

- 7.19.1 On or before the applicable compliance date in Permit Condition 7.27 and once per annum thereafter, each owner or operator of a phosphate fertilizers production plant subject to the provisions of 40 CFR 63, Subpart BB shall conduct a performance test to demonstrate compliance with the applicable emission standard for each existing diammonium and/or monoammonium phosphate process line, granular triple superphosphate process line, or granular triple superphosphate storage building. The owner or operator shall conduct the performance test according to the procedures in 40 CFR 63, Subpart A and in this section.

**[40 CFR 63.626(a)(1)]**

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- 7.19.2 In conducting performance tests, each owner or operator of an affected source shall use as reference methods and procedures the test methods in 40 CFR 60, Appendix A, or other methods and procedures as specified in this section, except as provided in 40 CFR 63.7(f).

**[40 CFR 63.626(b)]**

- 7.19.3 Each owner or operator of a new or existing diammonium and/or monoammonium phosphate process line shall determine compliance with the applicable total fluorides standards in Permit Condition 7.3.2, as follows.

- (1) The emission rate (E) of total fluorides shall be computed for each run using the following equation:

$$E = \left( \sum_{i=1}^N C_{si} Q_{sdi} \right) / (PK)$$

Where:

E = emission rate of total fluorides, g/metric ton (lb/ton) of equivalent P<sub>2</sub>O<sub>5</sub> feed.  
C<sub>si</sub> = concentration of total fluorides from emission point "i," mg/dscm (mg/dscf).  
Q<sub>sdi</sub> = volumetric flow rate of effluent gas from emission point "i," dscm/hr (dscf/hr).  
N = number of emission points associated with the affected facility.  
P = equivalent P<sub>2</sub>O<sub>5</sub> feed rate, metric ton/hr (ton/hr).  
K = conversion factor, 1000 mg/g (453,600 mg/lb).

- (2) Method 13A or 13B (40 CFR Part 60, Appendix A) shall be used to determine the total fluorides concentration (C<sub>si</sub>) and volumetric flow rate (Q<sub>sdi</sub>) of the effluent gas from each of the emission points. If Method 13 B is used, the fusion of the filtered material described in Section 7.3.1.2 and the distillation of suitable aliquots of containers 1 and 2, described in Sections 7.3.3 and 7.3.4 in Method 13 A, may be omitted. The sampling time and sample volume for each run shall be at least one hour and 0.85 dscm (30 dscf).

- (3) The equivalent P<sub>2</sub>O<sub>5</sub> feed rate (P) shall be computed using the following equation:

$$P = M_p R_p$$

Where:

M<sub>p</sub> = total mass flow rate of phosphorus-bearing feed, metric ton/hr (ton/hr).  
R<sub>p</sub> = P<sub>2</sub>O<sub>5</sub> content, decimal fraction.

- (i) The accountability system described in Permit Conditions 7.14 and 7.15 shall be used to determine the mass flow rate (M<sub>p</sub>) of the phosphorus-bearing feed.

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- (ii) The  $P_2O_5$  content ( $R_p$ ) of the feed shall be determined using as appropriate the following methods (incorporated by reference - see 40 CFR 63.14) specified in the Book of Methods Used and Adopted By The Association Of Florida Phosphate Chemists, Seventh Edition 1991, where applicable:
  - (A) Section IX, Methods of Analysis for Phosphate Rock, No. 1 Preparation of Sample.
  - (B) Section IX, Methods of Analysis for Phosphate Rock, No. 3 Phosphorus -  $P_2O_5$  or  $Ca_3(PO_4)_2$ , Method A - Volumetric Method.
  - (C) Section IX, Methods of Analysis For Phosphate Rock, No. 3 Phosphorus-  $P_2O_5$  or  $Ca_3(PO_4)_2$ , Method B - Gravimetric Quimociac Method.
  - (D) Section IX, Methods of Analysis For Phosphate Rock, No. 3 Phosphorus-  $P_2O_5$  or  $Ca_3(PO_4)_2$ , Method C - Spectrophotometric Method.
  - (E) Section XI, Methods of Analysis For Phosphoric Acid, Superphosphate, Triple superphosphate, and Ammonium Phosphates, No. 3 Total Phosphorus-  $P_2O_5$ , Method A - Volumetric Method.
  - (F) Section XI, Methods of Analysis For Phosphoric Acid, Superphosphate, Triple Superphosphate, and Ammonium Phosphates, No. 3 Total Phosphorus-  $P_2O_5$ , Method B - Gravimetric Quimociac Method.
  - (G) Section XI, Methods of Analysis for Phosphoric Acid, Superphosphate, Triple Superphosphate, and Ammonium Phosphates, No. 3 Total Phosphorus- $P_2O_5$ , Method C - Spectrophotometric Method.

- (4) To comply with Permit Conditions 7.17(1) or (2), the owner or operator shall use the monitoring systems in Permit Condition 7.16 to determine the average pressure loss of the gas stream across each scrubber in the process scrubbing system and to determine the average flow rate of the scrubber liquid to each scrubber in the process scrubbing system during each of the total fluoride runs. The arithmetic averages of the three runs shall be used as the baseline average values for the purposes of Permit Condition 7.17(1) or (2).

**[40 CFR 63.626(c)]**

- 7.20 For the purposes of determining compliance with the short-term (lb/hr) and yearly (tons-per-year) emission limits for the pollutants  $NO_x$ , CO, and  $SO_2$  in Permit Conditions 7.4, 7.5, and 7.6, the permittee shall continuously monitor the amount of natural gas fired in the dryer. On a monthly basis, the permittee shall record the monthly natural gas consumption of the dryer, the monthly operating hours of the dryer, and the rolling 12-month natural gas usage.

**[IDAPA 58.01.01.322.06, 07, 5/1/94]**

- 7.21 For the purpose of determining compliance with the short-term (lb/hr) and yearly (tons-per-year) emission limits for  $NO_x$ , CO, and  $SO_2$  in Permit Conditions 7.4, 7.5, and 7.6, the permittee shall calculate the monthly and rolling 12-month emission rate using AP-42 Section 1.4 (3/98) emission factors for natural gas combustion, or a DEQ-approved alternative, on a monthly basis.

**[IDAPA 58.01.01.322.06, 07, 5/1/94; IDAPA 58.01.01.322.01, 3/19/99]**



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*The permittee is hereby allowed to operate the equipment described herein subject to all terms and conditions of the permit.*

- 7.22 The permittee shall demonstrate compliance with the PM, PM<sub>10</sub>, and fluoride fugitive emissions limits in Permit Conditions 7.7, 7.8, and 7.9 using the emission factors specified in Appendix D of J.R. Simplot's June 29, 2000 Tier I/II application, or a DEQ-approved alternative method.  
[IDAPA 58.01.01.650-651, 5/1/94; IDAPA 58.01.01.322.06, 07, 5/1/94]

**Record-keeping and Reporting Requirements**

- 7.23 Each owner or operator subject to the requirements of 40 CFR 63, Subpart BB shall comply with the notification requirements in 40 CFR 63.9, as contained in Appendix A.  
[40 CFR 63.627(a)]
- 7.24 Each owner or operator subject to the requirements of 40 CFR 63, Subpart BB shall comply with the record-keeping requirements in 40 CFR 63.10, as contained in Appendix A.  
[40 CFR 63.627(b)]
- 7.25 The owner or operator of an affected source shall comply with the reporting requirements specified in 40 CFR 63.10 as follows:
- (1) Performance test report. As required by 40 CFR 63.10, the owner or operator shall report the results of the initial and annual performance tests as part of the notification of compliance status required in 40 CFR 63.9.
  - (2) Excess emissions report. As required by 40 CFR 63.10, the owner or operator of an affected source shall submit an excess emissions report for any exceedance of an operating parameter limit. The report shall contain the information specified in 40 CFR 63.10. When no exceedances of an operating parameter have occurred, such information shall be included in the report. The report shall be submitted semiannually and shall be delivered or postmarked by the 30th day following the end of the calendar half. If exceedances are reported, the owner or operator shall report quarterly until a request to reduce reporting frequency is approved as described in 40 CFR 63.10.
  - (3) Summary report. If the total duration of control system exceedances for the reporting period is less than 1% of the total operating time for the reporting period, the owner or operator shall submit a summary report containing the information specified in 40 CFR 63.10 rather than the full excess emissions report, unless required by the Administrator. The summary report shall be submitted semiannually and shall be delivered or postmarked by the 30th day following the end of the calendar half.
  - (4) If the total duration of control system operating parameter exceedances for the reporting period is 1% or greater of the total operating time for the reporting period, the owner or operator shall submit a summary report and the excess emissions report.
- [40 CFR 63.627(c)]
- 7.26 The owner or operator shall comply with the requirements of the general provisions in 40 CFR Part 63, Subpart A as shown in Appendix A to 40 CFR Part 63, Subpart BB. Requirements are included in Appendix A of this permit.  
[40 CFR 63.628]

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- 7.27 Each owner or operator of an existing affected source at a phosphate fertilizer production plant shall achieve compliance with the requirements of 40 CFR 63, Subpart BB no later than June 10, 2002. Notwithstanding the requirements of 40 CFR 63.7(a)(2)(iii), each owner or operator of an existing affected source at a phosphate fertilizer production plant shall fulfill the applicable requirements of Permit Condition 7.19 no later than June 10, 2002.

**[40 CFR 63.630(a)]**

***Exemption From New Source Performance Standards.***

- 7.28 Any affected source subject to the provisions of 40 CFR 63, Subpart BB is exempted from any otherwise applicable new source performance standard contained in 40 CFR, Part 60, Subpart V, Subpart W, or Subpart X. To be exempt, a source must have a current operating permit pursuant to Title V of the CAA and the source must be in compliance with all requirements of 40 CFR 63. For each affected source, this exemption is effective upon the date the owner or operator demonstrates to the Administrator that the requirements of Permit Conditions 7.10, 7.14, 7.15, 7.16, 7.17, and 7.19 have been met.

**[40 CFR 63.631]**

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**8. EMISSIONS UNIT GROUP 6: GRANULATION NO. 2 PROCESS****Summary Description**

The following is a narrative description of the Granulation No. 2 process regulated in this Tier I operating permit. This description is for informational purposes only.

Ammonia, phosphoric acid, gypsum, and sulfuric acid are mixed in a reactor to form a slurry. This slurry is then mixed with recycled fine product in a granulator where the slurry coats the outside of the recycled product to increase the particle size. The granulated product is then dried and screened. The over-sized material is crushed and recycled with the fine product. The intermediate fraction is the final product. It is cooled and conveyed to storage. In the storage building, product is transferred by front-end loader to a transfer conveyor, which feeds the product transfer system. The product transfer system then loads trucks and/or railcars.

Table 8.1 describes the emissions points related to each emissions unit of the Granulation No. 2 process and the devices used to control emissions.

**Table 8.1 EMISSIONS UNITS**

Emission Point Identification	Emissions Unit(s) / Process(es)	Emissions Control Device	Emissions Point
450.0	Reactor	Tailgas scrubber	Tailgas scrubber stack
451.0	Granulator		
453.0	Dryer		
461.1	Recycle drag conveyor	Granulation No.2 baghouse	Granulation No.2 baghouse(and cooler baghouse stack)
464.1	Screens		
464.2	Polishing screen		
465.1	Elevator to granulator		
466.1	Elevator to screens		
467.1	Product elevator		
470.3	Cooler	Cooler baghouse	
471.0	Product dump from overhead	Reasonable control of fugitive emissions (enclosure)	Fugitive
472.0	Front-end loader operation		
473.0	Underground conveyor		
474.0	Elevator		
475.0	Crossover belt		
476.0	Bulking loadout		
477.0	Screens		

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Table 8.2 contains only a summary of the requirements that apply to the Granulation No. 2 process. Specific permit requirements are listed below Table 8.2.

**Table 8.2 SUMMARY OF EMISSIONS LIMITS AND REQUIREMENTS**

Permit Conditions	Parameter	Permit Limit / Standard Summary	Applicable Requirements Reference	Monitoring and Record-keeping Requirements
8.1	PM	22.02 lb/hr, 96.47 T/yr (all stacks combined)	Tier II Permit No. 077-00006	8.11, 8.12, 8.13, 8.18
		Process weight rate	IDAPA 58.01.01.702	
8.2	PM <sub>10</sub>	18.06 lb/hr, 79.12 T/yr (all stacks combined)	Tier II Permit No. 077-00006	8.11, 8.12, 8.13, 8.18
8.3	Fluorides	6.8 lb/hr, 29.78 T/yr	Tier II Permit No. 077-00006	8.10, 8.14, 8.15, 8.16, 8.17, 8.19, 8.23 to 8.27
		0.06 lb total fluoride/T equivalent P <sub>2</sub> O <sub>5</sub> feed (all stacks combined)	40 CFR 63.622(a)	
8.4	NO <sub>x</sub>	1.69 lb/hr, 7.4 T/yr (all stacks combined)	Tier II Permit No. 077-00006	8.20, 8.21
8.5	CO	0.41 lb/hr, 1.8 T/yr (all stacks combined)	Tier II Permit No. 077-00006	8.20, 8.21
8.6	SO <sub>2</sub>	0.0016 lb/hr, 0.007 T/yr (all stacks combined)	Tier II Permit No. 077-00006	8.20, 8.21
8.7	PM fugitives	8.79 lb/hr, 38.49 T/yr	Tier II Permit No. 077-00006	8.22
8.8	PM <sub>10</sub> fugitives	1.06 lb/hr, 4.63 T/yr	Tier II Permit No. 077-00006	
8.9	Fluoride fugitives	0.088 lb/hr, 0.385 T/yr	Tier II Permit No. 077-00006	

**Permit Limits / Standard Summary**

8.1 The permittee shall comply with the following PM emission limits:

8.1.1 The PM emissions from the combined Granulation No. 2 process stacks shall not exceed 22.02 lb/hr and 96.47 T/yr. The ton-per-year emissions limit shall be determined by multiplying the actual or allowable (if actual is not available) pound-per-hour emission rate by the actual hours per year the process(es) venting to this stack operate(s).

[Tier II Permit No. 077-00006, 12/3/99]

8.1.2 No person shall emit PM to the atmosphere from any process or process equipment operating prior to October 1, 1979, PM in excess of the amount shown by the following equations, where E is the allowable emission from the entire source in lb/hr, and PW is the process weight in lb/hr:

a. If PW is less than 17,000 lb/hr,

$$E = 0.045(PW)^{0.60}$$

b. If PW is equal to or greater than 17,000 lb/hr,

$$E = 1.12(PW)^{0.27}$$

[IDAPA 58.01.01.702, 4/5/00]

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- 8.2 The PM<sub>10</sub> emissions from the combined Granulation No. 2 process stacks shall not exceed 18.06 lb/hr and 79.12 T/yr. The ton-per-year emissions limit shall be determined by multiplying the actual or allowable (if actual is not available) pound-per-hour emission rate by the actual hours per year the process(es) venting to this stack operate(s).  
**[Tier II Permit No. 077-00006, 12/3/99]**
- 8.3 The permittee shall comply with the following emission limits for total fluoride:
- 8.3.1 Total fluoride emissions from the combined Granulation No. 2 process stacks shall not exceed 6.8 lb/hr and 29.78 T/yr. The ton-per-year emissions limit shall be determined by multiplying the actual or allowable (if actual is not available) pound-per-hour emission rate by the actual hours per year the process(es) venting to this stack operate(s).  
**[Tier II Permit No. 077-00006, 12/3/99]**
- 8.3.2 On and after the date on which the compliance test required to be conducted by 40 CFR 63.7 and Permit Condition 8.19 must be completed, no owner or operator subject to the provisions of 40 CFR 63, Subpart BB shall cause to be discharged to the atmosphere from any affected source any gases which contain total fluorides in excess of 30 grams/metric ton of equivalent P<sub>2</sub>O<sub>5</sub> feed (0.060 lb/T).  
**[40 CFR 63.622(a)]**
- 8.4 The NO<sub>x</sub> emissions from the combined Granulation No. 2 process stacks shall not exceed 1.69 lb/hr, and shall not exceed 7.4 T/yr.  
**[Tier II Permit No. 077-00006, 12/3/99]**
- 8.5 The CO emissions from the combined Granulation No. 2 process stacks shall not exceed 0.41 lb/hr, and 1.8 T/yr.  
**[Tier II Permit No. 077-00006, 12/3/99]**
- 8.6 The SO<sub>2</sub> emissions from the combined Granulation No. 2 process stacks shall not exceed 0.0016 lb/hr and 0.007 T/yr.  
**[Tier II Permit No. 077-00006, 12/3/99]**
- 8.7 Fugitive PM emissions from the Granulation No. 2 process shall be reasonably controlled, as required in IDAPA 58.01.01.650 and 651 and shall not exceed 8.79 lb/hr and 38.49 T/yr.  
**[IDAPA 58.01.01.650-651, 5/1/94; Tier II Permit No. 077-00006, 12/3/99]**
- 8.8 Fugitive PM<sub>10</sub> emissions from the Granulation No. 2 process shall be reasonably controlled, as required in IDAPA 58.01.01.650 and 651, and shall not exceed 1.06 lb/hr and 4.63 T/yr.  
**[IDAPA 58.01.01.650-651, 5/1/94; Tier II Permit No. 077-00006, 12/3/99]**
- 8.9 Fugitive fluoride emissions from the Granulation No. 2 process shall be reasonably controlled, as required in IDAPA 58.01.01.650 and 651, and shall not exceed 0.088 lb/hr and 0.385 T/yr.  
**[IDAPA 58.01.01.650-651, 5/1/94; Tier II Permit No. 077-00006, 12/3/99]**

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**Operating Requirements**

- 8.10 On or after the date on which the performance test required to be conducted by 40 CFR 63.7 and Permit Condition 8.19 is required to be completed, the owner/operator using a wet scrubbing emission control system must maintain daily averages of the pressure drop across each scrubber and of the flow rate of the scrubbing liquid to each scrubber within the allowable ranges established pursuant to the requirements of Permit Condition 8.17(1) or (2).

**[40 CFR 63.624]**

- 8.11 Maintenance to the scrubbers and/or process maintenance shall be performed if visible emissions from the scrubber stacks exceed 15% opacity. A record of maintenance shall be maintained on site for the most recent five years and shall be made available to DEQ representatives upon request.

**[Tier II Permit No. 077-00006, 12/3/99]**

- 8.12 Maintenance to the baghouse shall be performed if visible emissions from the baghouse stack exceed 10% opacity. A record of maintenance shall be maintained on site for the most recent five years and shall be made available to DEQ representatives upon request.

**[Tier II Permit No. 077-00006, 12/3/99]**

**Monitoring, Compliance Tests, And Compliance Provisions**

- 8.13 The permittee shall monitor the pressure drop across the baghouse to ensure control of PM and PM<sub>10</sub>. The pressure drop shall be recorded weekly.

**[Tier II Permit No. 077-00006, 12/3/99; IDAPA 58.01.01.322.06, 5/1/94]**

- 8.14 Each owner or operator of a new or existing diammonium and/or monoammonium phosphate process line or granular triple superphosphate process line subject to the provisions of 40 CFR 63, Subpart BB shall install, calibrate, maintain, and operate a monitoring system which can be used to determine and permanently record the mass flow of phosphorus-bearing feed material to the process. The monitoring system shall have an accuracy of  $\pm 5\%$  over its operating range.

**[40 CFR 63.625(a)]**

- 8.15 Each owner or operator of a new or existing diammonium and/or monoammonium phosphate process line or granular triple superphosphate process line subject to the provisions of 40 CFR 63, Subpart BB shall maintain a daily record of equivalent P<sub>2</sub>O<sub>5</sub> feed by first determining the total mass rate in metric ton/hour of phosphorus bearing feed using a monitoring system for measuring mass flow rate which meets the requirements of paragraph (a) of this section and then by proceeding according to Permit Condition 8.19.3(3).

**[40 CFR 63.625(b)]**

- 8.16 Each owner or operator of a new or existing diammonium and/or monoammonium phosphate process line, granular triple superphosphate process line, or granular triple superphosphate storage building using a wet scrubbing emission control system shall install, calibrate, maintain, and operate the following monitoring systems:

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- (1) A monitoring system which continuously measures and permanently records the pressure drop across each scrubber in the process scrubbing system in 15-minute block averages. The monitoring system shall be certified by the manufacturer to have an accuracy of  $\pm 5\%$  over its operating range.
- (2) A monitoring system which continuously measures and permanently records the flow rate of the scrubbing liquid to each scrubber in the process scrubbing system in 15-minute block averages. The monitoring system shall be certified by the manufacturer to have an accuracy of  $\pm 5\%$  over its operating range.

**[40 CFR 63.625(c)]**

8.17 Following the date on which the performance test required in Permit Condition 8.19 is completed, the owner or operator of a new or existing affected source using a wet scrubbing emission control system and subject to emissions limitations for total fluorides or particulate matter contained in 40 CFR 63, Subpart BB must establish allowable ranges for operating parameters using the methodology of either paragraph (1) or (2) of this section:

- (1) The allowable range for the daily averages of the pressure drop across each scrubber and of the flow rate of the scrubbing liquid to each scrubber in the process scrubbing system is  $\pm 20\%$  of the baseline average value determined as a requirement of Permit Condition 8.19.3(4). The Administrator retains the right to reduce the  $\pm 20\%$  adjustment to the baseline average values of operating ranges in those instances where performance test results indicate that a source's level of emissions is near the value of an applicable emissions standard, but in no instance shall the adjustment be reduced to less than  $\pm 10\%$ . The owner or operator must notify the Administrator of the baseline average value and must notify the Administrator each time that the baseline value is changed as a result of the most recent performance test. When a source using the methodology of this paragraph is retested, the owner or operator shall determine whether new allowable ranges of baseline average values will be based upon the new performance test or (if the new performance test results are within the previously established range) whether there will be no change in the operating parameters derived from previous tests. When a source using the methodology of this paragraph is retested and the performance test results are submitted to the Administrator pursuant to Permit Condition 8.25(1), 63.7(g)(1), and/or 63.10(d)(2), the owner or operator will indicate whether the operating range will be based on the new performance test or the previously established range. If the Administrator has not denied approval of the new operating ranges within 30 days of submission of the performance test results, the new ranges shall be deemed approved and the new baseline value shall then be effective on the 31st day following submission.
- (2) The owner or operator of any new or existing affected source shall establish, and provide to the Administrator for approval, allowable ranges for the daily averages of the pressure drop across and of the flow rate of the scrubbing liquid to each scrubber in the process scrubbing system for the purpose of assuring compliance with 40 CFR 63, Subpart BB. Allowable ranges may be based upon baseline average values recorded during previous performance tests using the test methods required in Permit Condition 8.19.3(4). As an alternative, the owner or operator can establish the allowable ranges using the results of performance tests conducted specifically for the purposes of this paragraph using the test methods required in 40 CFR 63, Subpart BB and established in the manner required in Permit Condition 8.19.3(4). The source shall certify that the control devices and processes have not been modified subsequent to the testing upon which

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the data used to establish the allowable ranges were obtained. The allowable ranges developed pursuant to the provisions of this paragraph must be submitted to the Administrator for approval. The owner or operator must request and obtain approval of the Administrator for changes to the allowable ranges. When a source using the methodology of this paragraph is retested, the owner or operator shall determine new allowable ranges of baseline average values unless the retest indicates no change in the operating parameters outside the previously established ranges. If the Administrator has not denied approval of the new operating ranges within 30 days of submission of the performance test results, the new ranges shall be deemed approved and the new baseline value shall then be effective on the 31st day following submission.

**[40 CFR 63.625(f)]**

**8.18 PM and PM<sub>10</sub> Compliance Test**

- 8.18.1 The permittee shall conduct compliance tests within 12 months of, or 12 months prior to, December 24, 2002 to demonstrate compliance with the PM and PM<sub>10</sub> hourly emissions limits in Permit Conditions 8.1 and 8.2. After the first compliance test, the permittee shall conduct a compliance test once per annum to demonstrate compliance with hourly PM and PM<sub>10</sub> emissions limits in Permit Conditions 8.1 and 8.2.

During calendar years 2003, 2004, and 2005, compliance with the PM<sub>10</sub> emissions limit in Permit Condition 8.2 shall be determined by conducting a Method 5 performance test on the tailgas scrubber stack and the baghouse stack. The PM<sub>10</sub> fraction of the PM emission rate determined during the test shall be determined by multiplying the PM emission rate by a 0.82 conversion factor.

During calendar years 2004 and 2005, Method 201A and 202 performance tests shall be conducted on the baghouse stack in addition to the Method 5 test. During calendar years 2004 and 2005 Method 5 and 202 performance tests shall be conducted on the tailgas scrubber stack in addition to the Method 5 test. All performance testing shall be conducted in accordance with Permit Condition 2.16.

No later than September 30, 2005, Simplot shall submit a permit application to revise the PM<sub>10</sub> emissions limits to reflect the results of the Method 201A and 202, and Method 5 and 202 performance tests. The permit application shall contain justification for each emission limit proposed. Once DEQ issues a permit with revised PM<sub>10</sub> emissions limits, compliance with Permit Condition 8.2 shall be determined by source testing using Methods 201A and 202 on the baghouse stack and Methods 5 and 202 on the tailgas scrubber stack..

- 8.18.2 The permittee shall record the equivalent P<sub>2</sub>O<sub>5</sub> feed rate to the process, the pressure drop across the baghouse, the pressure drop across each scrubber, and the flow rate of the scrubber liquid to each scrubber during compliance tests.
- 8.18.3 The permittee shall conduct a visible emissions evaluation during each compliance test. The visible emissions evaluation shall be conducted in accordance with the procedures contained in IDAPA 58.01.01.625.

**[IDAPA 58.01.01.322.06, 5/1/94; Tier II Permit No. 077-00006, 12/3/99]**

**8.19 Total Fluoride Compliance Test**



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- 8.19.1 On or before the applicable compliance date in Permit Condition 8.27 and once per annum thereafter, each owner or operator of a phosphate fertilizers production plant subject to the provisions of 40 CFR 63, Subpart BB shall conduct a performance test to demonstrate compliance with the applicable emission standard for each existing diammonium and/or monoammonium phosphate process line, granular triple superphosphate process line, or granular triple superphosphate storage building. The owner or operator shall conduct the performance test according to the procedures in 40 CFR 63, Subpart A and in this section.

**[40 CFR 63.626(a)(1)]**

- 8.19.2 In conducting performance tests, each owner or operator of an affected source shall use as reference methods and procedures the test methods in 40 CFR 60, Appendix A, or other methods and procedures as specified in this section, except as provided in 40 CFR 63.7(f).

**[40 CFR 63.626(b)]**

- 8.19.3 Each owner or operator of a new or existing diammonium and/or monoammonium phosphate process line shall determine compliance with the applicable total fluorides standards in Permit Condition 8.3.2, as follows.

- (1) The emission rate (E) of total fluorides shall be computed for each run using the following equation:

$$E = \left( \sum_{i=1}^N C_{si} Q_{sdi} \right) / (PK)$$

Where:

E = emission rate of total fluorides, g/metric ton (lb/ton) of equivalent P<sub>2</sub>O<sub>5</sub> feed.  
C<sub>si</sub> = concentration of total fluorides from emission point "i," mg/dscm (mg/dscf).  
Q<sub>sd</sub> = volumetric flow rate of effluent gas from emission point "i," dscm/hr (dscf/hr).  
N = number of emission points associated with the affected facility.  
P = equivalent P<sub>2</sub>O<sub>5</sub> feed rate, metric ton/hr (ton/hr).  
K = conversion factor, 1000 mg/g (453,600 mg/lb).

- (2) Method 13A or 13B (40 CFR Part 60, Appendix A) shall be used to determine the total fluorides concentration (C<sub>si</sub>) and volumetric flow rate (Q<sub>sdi</sub>) of the effluent gas from each of the emission points. If Method 13 B is used, the fusion of the filtered material described in Section 7.3.1.2 and the distillation of suitable aliquots of containers 1 and 2, described in Sections 7.3.3 and 7.3.4 in Method 13 A, may be omitted. The sampling time and sample volume for each run shall be at least one hour and 0.85 dscm (30 dscf).

- (3) The equivalent P<sub>2</sub>O<sub>5</sub> feed rate (P) shall be computed using the following equation:

$$P = M_p R_p$$

**AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-040313**

<b>Permittee:</b> J.R. Simplot Co. - Don Siding Plant	<b>Facility ID No.</b> 077-00006	<b>Date Issued:</b> Draft for Public Comment
<b>Location:</b> Pocatello, Idaho		<b>Date Expires:</b> December 24, 2007

*The permittee is hereby allowed to operate the equipment described herein subject to all terms and conditions of the permit.*

Where:

$M_p$  = total mass flow rate of phosphorus-bearing feed, metric ton/hr (ton/hr).  
 $R_p$  =  $P_2O_5$  content, decimal fraction.

- (i) The accountability system described in Permit Conditions 8.14 and 8.15 shall be used to determine the mass flow rate ( $M_p$ ) of the phosphorus-bearing feed.
  - (ii) The  $P_2O_5$  content ( $R_p$ ) of the feed shall be determined using as appropriate the following methods (incorporated by reference - see 40 CFR 63.14) specified in the Book of Methods Used and Adopted By The Association Of Florida Phosphate Chemists, Seventh Edition 1991, where applicable:
    - (A) Section IX, Methods of Analysis for Phosphate Rock, No. 1 Preparation of Sample.
    - (B) Section IX, Methods of Analysis for Phosphate Rock, No. 3 Phosphorus -  $P_2O_5$  or  $Ca_3(PO_4)_2$ , Method A - Volumetric Method.
    - (C) Section IX, Methods of Analysis For Phosphate Rock, No. 3 Phosphorus-  $P_2O_5$  or  $Ca_3(PO_4)_2$ , Method B - Gravimetric Quimociac Method.
    - (D) Section IX, Methods of Analysis For Phosphate Rock, No. 3 Phosphorus-  $P_2O_5$  or  $Ca_3(PO_4)_2$ , Method C - Spectrophotometric Method.
    - (E) Section XI, Methods of Analysis For Phosphoric Acid, Superphosphate, Triple superphosphate, and Ammonium Phosphates, No. 3 Total Phosphorus-  $P_2O_5$ , Method A - Volumetric Method.
    - (F) Section XI, Methods of Analysis For Phosphoric Acid, Superphosphate, Triple Superphosphate, and Ammonium Phosphates, No. 3 Total Phosphorus-  $P_2O_5$ , Method B - Gravimetric Quimociac Method.
    - (G) Section XI, Methods of Analysis for Phosphoric Acid, Superphosphate, Triple Superphosphate, and Ammonium Phosphates, No. 3 Total Phosphorus- $P_2O_5$ , Method C - Spectrophotometric Method.
- (4) To comply with Permit Condition 8.17(1) or (2), the owner or operator shall use the monitoring systems in Permit Condition 8.16 to determine the average pressure loss of the gas stream across each scrubber in the process scrubbing system and to determine the average flow rate of the scrubber liquid to each scrubber in the process scrubbing system during each of the total fluoride runs. The arithmetic averages of the three runs shall be used as the baseline average values for the purposes of Permit Condition 8.17(1) or (2).

**[40 CFR 63.626(c)]**

- 8.20 For the purposes of determining compliance with the short-term (lb/hr) and yearly (tons-per-year) emission limits for the pollutants,  $NO_x$ , CO, and  $SO_2$  in Permit Conditions 8.4, 8.5, and 8.6, the permittee shall continuously monitor the amount of natural gas fired in the dryer. On a monthly basis, the permittee shall record the monthly natural gas consumption of the dryer, the monthly operating hours of the dryer, and the rolling 12-month natural gas usage.

**[IDAPA 58.01.01.322.06, 07, 5/1/94]**

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<b>Permittee:</b> J.R. Simplot Co. - Don Siding Plant	<b>Facility ID No.</b> 077-00006	<b>Date Issued:</b> Draft for Public Comment
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- 8.21 The permittee shall calculate the monthly and rolling 12-month emission rate of NO<sub>x</sub>, CO, and SO<sub>2</sub> using AP-42 Section 1.4 (3/98) emission factors for natural gas combustion, or a DEQ-approved alternative, on a monthly basis.

**[IDAPA 58.01.01.322.06, 07, 5/1/94; IDAPA 58.01.01.322.01, 3/19/99]**

- 8.22 The permittee shall demonstrate compliance with the PM, PM<sub>10</sub>, and fluoride fugitive emissions limits in Permit Conditions 8.7, 8.8, and 8.9 using the emission factors specified in Appendix D of J.R. Simplot's June 29, 2000 Tier I/II application, or a DEQ-approved alternative method.

**[IDAPA 58.01.01.650-651, 5/1/94; IDAPA 58.01.01.322.06, 07, 5/1/94]**

***Record-keeping and Reporting Requirements***

- 8.23 Each owner or operator subject to the requirements of 40 CFR 63, Subpart BB shall comply with the notification requirements in 40 CFR 63.9.

**[40 CFR 63.627(a)]**

- 8.24 Each owner or operator subject to the requirements of 40 CFR 63, Subpart BB shall comply with the record-keeping requirements in 40 CFR 63.10.

**[40 CFR 63.627(b)]**

- 8.25 The owner or operator of an affected source shall comply with the reporting requirements specified in 40 CFR 63.10 as follows:

- 1) Performance test report. As required by 40 CFR 63.10, the owner or operator shall report the results of the initial and annual performance tests as part of the notification of compliance status required in 40 CFR 63.9.
- 2) Excess emissions report. As required by 40 CFR 63.10, the owner or operator of an affected source shall submit an excess emissions report for any exceedance of an operating parameter limit. The report shall contain the information specified in 40 CFR 63.10. When no exceedances of an operating parameter have occurred, such information shall be included in the report. The report shall be submitted semiannually and shall be delivered or postmarked by the 30th day following the end of the calendar half. If exceedances are reported, the owner or operator shall report quarterly until a request to reduce reporting frequency is approved as described in 40 CFR 63.10.
- (3) Summary report. If the total duration of control system exceedances for the reporting period is less than 1% of the total operating time for the reporting period, the owner or operator shall submit a summary report containing the information specified in 40 CFR 63.10 rather than the full excess emissions report, unless required by the Administrator. The summary report shall be submitted semiannually and shall be delivered or postmarked by the 30th day following the end of the calendar half.
- (4) If the total duration of control system operating parameter exceedances for the reporting period is 1% or greater of the total operating time for the reporting period, the owner or operator shall submit a summary report and the excess emissions report.

**[40 CFR 63.627(c)]**

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- 8.26 The owner or operator shall comply with the requirements of the general provisions in 40 CFR Part 63, Subpart A as shown in Appendix A to 40 CFR Part 63, Subpart BB. Requirements are included in Appendix A of this permit.

**[40 CFR 63.628]**

- 8.27 Each owner or operator of an existing affected source at a phosphate fertilizer production plant shall achieve compliance with the requirements of 40 CFR 63, Subpart BB no later than June 10, 2002. Notwithstanding the requirements of 40 CFR 63.7(a)(2)(iii), each owner or operator of an existing affected source at a phosphate fertilizer production plant shall fulfill the applicable requirements of Permit Condition 8.19 no later than June 10, 2002.

**[40 CFR 63.630(a)]**

***Exemption From New Source Performance Standards***

- 8.28 Any affected source subject to the provisions of 40 CFR 63, Subpart BB is exempted from any otherwise applicable new source performance standard contained in 40 CFR Part 60, Subpart V, Subpart W, or Subpart X. To be exempt, a source must have a current operating permit pursuant to Title V of the CAA and the source must be in compliance with all requirements of 40 CFR 63. For each affected source, this exemption is effective upon the date the owner or operator demonstrates to the Administrator that the requirements of Permit Conditions 8.10, 8.14, 8.15, 8.16, 8.17, and 8.19 have been met.

**[40 CFR 63.631]**

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**9. EMISSIONS UNIT GROUP 7: GRANULATION NO. 3 PROCESS, EAST BULKING STATION, AND DEFLUORINATION PROCESS**

***Summary Description***

The following is a narrative description of the Granulation No. 3 process regulated in this Tier I operating permit. This description is for informational purposes only.

The Granulation No. 3 process is currently capable of making low fluoride, mono-or di-calcium-phosphate product used to make livestock supplement and specialty fertilizers. Low fluoride phosphoric acid is produced in the defluorination process by heating the phosphoric acid in the defluorination reactor tank, then adding diatomaceous earth as a silica source. The fluoride in the phosphoric acid volatilizes as silica tetrafluoride. Limestone from the limestone bins and the low fluoride phosphoric acid are mixed together to produce a slurry. The product slurry is added to product fines to produce larger product granules. The granules are dried and screened. Oversized product is crushed and recycled. Product granules are conveyed to the product storage area for shipping.

The Granulation No.3 process is not capable of making diammonium and/or monoammonium phosphate by introducing ammonia into the process.

Table 9.1 describes the emissions points related to each emissions unit of the Granulation No. 3 process and the devices used to control emissions.

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**Table 9.1 EMISSIONS UNITS, CONTROL DEVICES, AND POINTS**

Emission Point Identification	Emissions Unit(s) / Process(es)	Emissions Control Device	Emissions Point	
700.0	Mixer	Entoleter scrubber	Granulation No. 3 stack	
703.0	Blunger			
720.0	Dryer			
	Defluorination reactors	Defluorination scrubber		
708.2	Screens	(material handling) Baghouse		
708.3	Rotex screen (Conveyors)			
709.1	Fines loadout (Recycle Drag)			
710.1	Production elevator (screen feed elevator)			
712.1	Reject elevator			
	Reject Hopper			
705.0	Limestone bins	Limestone baghouse	Limestone baghouse stacks	
	Diatomaceous earth silo	Diatomaceous earth baghouse <sup>1</sup>		
750.0	Conveying	Reasonable control of fugitive emissions	Fugitive	
751.0	Conveyor drop			
752.0	Front-end loader operations			
753.0	Bulking elevator			
754.0	Crossover belt			
755.0	East dry-bulking			
770.0	Conveying			
771.0	Conveyor drop			
772.0	Front-end loader operations			
773.0	Bulking elevator			
774.0	Crossover belt			

<sup>1</sup> A side stream of air from the baghouse will be used to strip fluoride from the hot treated acid. The fluoride enriched air stream from the reactors will then be scrubbed in the Defluorination Scrubber.

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Table 9.2 contains only a summary of the requirements that apply to the Granulation No. 3 Process. Specific permit requirements are listed below Table 9.2.

**Table 9.2 SUMMARY OF EMISSIONS LIMITS**

Permit Conditions	Affected Emission Unit/Point	Parameter	Permit Limit / Standard Summary	Applicable Requirements Reference	Monitoring and Record-keeping Requirements
9.1	Granulation No. 3 stack	PM	7.0 lb/hr, 30.7 T/yr	PTC No. 077-00006	9.12, 9.13, 9.15, 9.17, 9.20, 9.21
	Diatomaceous earth silo		Process weight rate	IDAPA 58.01.01.701	9.14, 9.17
	Limestone bins				9.14, 9.17
	East dry-bulking station				9.22.5
	Granulation No. 3 stack				9.12, 9.13, 9.15, 9.17
9.2	Granulation No. 3 stack	PM <sub>10</sub>	5.7 lb/hr, 25.0 T/yr	PTC No. 077-00006	9.12, 9.13, 9.15, 9.17, 9.20, 9.21
	Diatomaceous earth baghouse stack		0.28 lb/hr, 1.2 T/yr	PTC No. 077-00006	9.11.1, 9.12
9.3	Granulation No. 3 stack	Total fluorides	1.28 lb/hr, 5.63 T/yr	PTC No. 077-00006	9.13.1, 9.15, 9.17, 9.19, 9.22, 9.24
9.4	Granulation No. 3 stack	NO <sub>x</sub>	3.4 lb/hr, 14.9 T/yr	PTC No. 077-00006	9.14, 9.18, 9.22.4
9.5		SO <sub>2</sub>	0.02 lb/hr, 0.09 T/yr		
9.6		CO	2.9 lb/hr, 12.7 T/yr		
9.7		VOC	0.2 lb/hr, 0.9 T/yr		
9.8	All of Granulation No. 3, excluding east dry-bulking station	PM fugitives	0.7 lb/hr, 3.0 T/yr	PTC No. 077-00006	9.19
9.9	All of Granulation No. 3, excluding east dry-bulking station	PM <sub>10</sub> fugitives	0.1 lb/hr, 0.5 T/yr	PTC No. 077-00006	9.19
9.10	All of Granulation No. 3, excluding east dry-bulking station	Fluoride fugitives	0.01 lb/hr, 0.02 T/yr	PTC No. 077-00006	9.19
9.11.1	Granulation No. 3 process	P <sub>2</sub> O <sub>5</sub> equivalent feed rate	120% of average feed rate obtained from compliance test	PTC No. 077-00006	9.21.1
9.11.2	Defluorination process	P <sub>2</sub> O <sub>5</sub> equivalent feed rate	6,250 T/mo, 75,000 T/yr	PTC No. 077-00006	9.21.2
9.11.3	East dry-bulking station	Livestock feed and TSP to the station	9,600 T/d, 3,504,000 T/yr	PTC No. 077-00006	9.21.5

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***Permit Limits / Standard Summary***

**9.1 Particulate Matter Emissions**

- 9.1.1 The PM emissions from the Granulation No. 3 stack shall not exceed 7.0 lb/hr and 30.7 T/yr. The ton-per-year emissions limit shall be determined by multiplying the actual or allowable (if actual is not available) pound-per-hour emission rate by the actual hours per year the process(es) venting to this stack operate(s).

**[PTC No. 077-00006, 12/12/01]**

- 9.1.2 No person shall emit PM to the atmosphere from any process or process equipment commencing operation on or after October 1, 1979, in excess of the amount shown by the following equations, where E is the allowable emission from the entire source in lb/hr, and PW is the process weight in lb/hr:

- a. If PW is less than 9,250 lb/hr,

$$E = 0.045(PW)^{0.60}$$

- b. If PW is equal to or greater than 9,250 lb/hr,

$$E = 1.10(PW)^{0.25}$$

**[IDAPA 58.01.01.701, 4/5/00]**

**9.2 PM<sub>10</sub> Emissions**

- 9.2.1 The PM<sub>10</sub> emissions from the Granulation No. 3 stack shall not exceed 5.7 lb/hr and 25.0 T/yr. The ton-per-year emissions limit shall be determined by multiplying the actual or allowable (if actual is not available) pound-per-hour emission rate by the actual hours per year the process(es) venting to this stack operate(s).

**[PTC No. 077-00006, 12/12/01]**

- 9.2.2 The PM<sub>10</sub> emissions from the diatomaceous earth baghouse shall not exceed 0.28 lb/hr and 1.2 T/yr.

**[PTC No. 077-00006, 11/12/99]**

- 9.3 Total fluoride emissions from the Granulation No. 3 stack shall not exceed 1.28 lb/hr, and shall not exceed 5.63 T/yr. The ton-per-year emissions limit shall be determined by multiplying the actual or allowable (if actual is not available) pound-per-hour emission rate by the actual hours per year the process(es) venting to this stack operate(s).

**[PTC No. 077-00006, 12/12/01]**

- 9.4 The NO<sub>x</sub> emissions from the Granulation No. 3 stack shall not exceed 3.4 lb/hr and 14.9 T/yr.

**[PTC No. 077-00006, 12/12/01]**

- 9.5 The SO<sub>2</sub> emissions from the Granulation No. 3 stack shall not exceed 0.02 lb/hr and 0.09 T/yr.

**[PTC No. 077-00006, 12/12/01]**

- 9.6 The CO emissions from the Granulation No. 3 stack shall not exceed 2.9 lb/hr and 12.7 T/yr.



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**[PTC No. 077-00006, 12/12/01]**

9.7 The VOC emissions from the Granulation No. 3 stack shall not exceed 0.2 lb/hr, and 0.9 T/yr.

**[PTC No. 077-00006, 12/12/01]**

9.8 Fugitive PM emissions from the Granulation No. 3 plant and associated handling, excluding the east dry-bulking station, shall not exceed 0.7 lb/hr and 3.0 T/yr.

**[PTC No. 077-00006, 12/12/01]**

9.9 Fugitive PM<sub>10</sub> emissions from the Granulation No. 3 plant and associated handling, excluding the east dry-bulking station, shall not exceed 0.1 lb/hr and 0.5 T/yr.

**[PTC No. 077-00006, 12/12/01]**

9.10 Fugitive fluoride emissions from the Granulation No. 3 plant and associated handling, excluding the east dry-bulking station, shall not exceed 0.01 lb/hr and 0.02 T/yr.

**[PTC No. 077-00006, 12/12/01]**

### ***Operating Requirements***

#### **9.11 Operating Limit/Throughput Limit**

9.11.1 The maximum allowable operating rate, measured in tons of P<sub>2</sub>O<sub>5</sub> equivalent feed per hour, shall be limited to 120% of the average operating rate attained during any compliance test period for which a test protocol has been granted prior approval by DEQ; unless (1) the test demonstrates noncompliance, (2) a more restrictive operating limit is specified elsewhere in this permit, or (3) at such an operating rate, emissions would exceed any emission limit(s) set forth in this permit.

**[PTC No. 077-00006, 12/12/01]**

9.11.2 The maximum monthly throughput of P<sub>2</sub>O<sub>5</sub> to the defluorination process shall not exceed 6,250 T/mo. The maximum annual throughput of P<sub>2</sub>O<sub>5</sub> to the process shall not exceed 75,000 T/yr.

**[PTC No. 077-00006, 11/12/99]**

9.11.3 The maximum throughput of the livestock feed and TSP through the east dry-bulking station shall not exceed 9,600 T/d and 3,504,000 T/yr.

**[PTC No. 077-00006, 9/13/95]**

9.12 The pressure drop across the baghouse shall be maintained within O&M manual specifications. Documentation of the operating pressure drop specifications for the baghouse shall remain on site at all times and shall be made available to DEQ representatives upon request.

**[PTC No. 077-00006, 12/12/01]**

9.13 The pressure drop and liquid flow rate of the wet scrubber shall be maintained within O&M manual specifications. Documentation of the operating pressure drop and liquid flow rate specifications for the scrubber shall remain on site at all times and shall be made available to DEQ representatives upon request.

**[PTC No. 077-00006, 12/12/01]**

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- 9.14 The dryer, with a maximum rated heat input capacity of 35 MMBtu/hr (determined on a 24-hour rolling average), shall burn only natural gas as fuel.  
[PTC No. 077-00006, 12/12/01]
- 9.15 Maintenance to the scrubbers, and/or process equipment, and/or baghouse shall be performed if visible emissions from the Granulation No. 3 plant stack exceed 15% opacity.  
[PTC No. 077-00006, 12/12/01]
- 9.16 The permittee shall comply with the Air Pollution Emergency Rules in IDAPA 58.01.01.550 through 562.  
[PTC No. 077-00006, 12/12/01]

**Monitoring and Record-keeping Requirements**

- 9.17 The permittee shall conduct compliance tests within 12 months of, or 12 months prior to, December 24, 2002 to demonstrate compliance with the PM hourly emissions limit in Permit Condition 9.1.1, the PM<sub>10</sub> hourly emissions limit in Permit Condition 9.2.1, and the fluoride hourly emissions limit in Permit Condition 9.3.

During calendar years 2003, 2004, and 2005, compliance with the PM<sub>10</sub> emissions limit in Permit Condition 9.2.1 shall be determined by conducting a Method 5 performance test on the granulation No. 3 stack. The PM<sub>10</sub> fraction of the PM emission rate determined during the test shall be determined by multiplying the PM emission rate by a 0.82 conversion factor.

During calendar years 2004 and 2005, Method 5 and 202 performance tests shall be conducted on the granulation No. 3 stack in addition to the Method 5 test. No later than September 30, 2005, Simplot shall submit a permit application to revise the PM<sub>10</sub> emissions limits to reflect the results of the Method 5 and 202 performance tests. The permit application shall contain justification for each emission limit proposed. Once DEQ issues a permit with revised PM<sub>10</sub> emissions limits, compliance with Permit Condition 9.2.1 shall be determined by source testing using Methods 5 and 202 on the granulation No. 3 scrubber stack. The compliance tests shall be performed in accordance with Permit Conditions 2.15, 2.16, 2.17, and the following requirements, except that Permit Condition 9.17.6 shall not apply to testing of emissions of PM and PM<sub>10</sub> until calendar year 2006:

- 9.17.1 Visible emissions shall be observed during each compliance test run using the methods specified in IDAPA 58.01.01.625.
- 9.17.2 The pressure drop across the baghouse shall be monitored and recorded during each compliance test.
- 9.17.3 The pressure drop and liquid flow rate of the wet scrubber shall be monitored and recorded during each compliance test.
- 9.17.4 The feed rate, in tons of P<sub>2</sub>O<sub>5</sub> equivalent per hour, to the Granulation No. 3 plant shall be recorded during each compliance test. The permittee shall determine the rate of equivalent P<sub>2</sub>O<sub>5</sub> feed by first determining the mass rate in tons per hour of phosphorus-bearing feed, then multiplying the phosphorus bearing feed rate by the decimal fraction of P<sub>2</sub>O<sub>5</sub> content.

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9.17.5 The process data specified in the approved test protocol shall be monitored and recorded during the test period.

9.17.6 If the measurement during the initial compliance test is less than or equal to 75% of the respective hourly emission standard, no further testing for that emissions standard shall be required during the term of the permit. If the measurement during the initial compliance test is greater than 75%, but less than or equal to 90% of the hourly respective emission standard, a second test for that emissions standard shall be required in the third year of the permit term. If measurement during the compliance test is greater than 90% of the respective hourly emission standard, the permittee shall conduct a compliance test for that emissions standard annually.

**[PTC No. 077-00006, 12/12/01; Tier II Permit No. 077-00006, 12/3/99; IDAPA 58.01.01.322.06, 5/1/94]**

9.18 To demonstrate compliance with the NO<sub>x</sub>, CO, SO<sub>2</sub>, and VOC emissions limits, the permittee shall continuously monitor the amount of natural gas fired in the dryer. On a monthly basis, the permittee shall record the natural gas consumption of the dryer, the operating hours of the dryer, and the rolling 12-month natural gas usage. The permittee shall calculate the monthly and rolling 12-month emission rate using AP-42 Section 1.4 (3/98) emission factors for natural gas combustion, or a DEQ-approved alternative, on a monthly basis.

**[IDAPA 58.01.01.322.06, 07, 5/1/94; IDAPA 58.01.01.322.01, 3/19/99]**

9.19 Compliance with the fugitive PM, PM<sub>10</sub>, and fluoride emission shall be determined by the following:

9.19.1 Multiplying the hourly production rate, in tons per hour, by the emission factors of 0.027 lb/T for PM, 0.004 lb/T for PM<sub>10</sub>, and 0.00022 lb/T for fluoride per the facility's Granulation No. 3 upgrade permit application analysis.

9.19.2 Multiplying the annual production rate, in tons per year, by the emission factors of 0.027 lb/T for PM, 0.004 lb/T for PM<sub>10</sub>, and 0.00022 lb/T for fluoride per the facility's Granulation No. 3 upgrade permit application analysis.

**[PTC No. 077-00006, 12/12/01]**

9.20 Within 60 days after startup, the permittee shall develop an O&M manual for the baghouse and wet scrubber system that describes the procedures that will be followed to comply with General Provision 2 of PTC No. 077-00006 and Permit Conditions 9.12 and 9.13. This manual shall remain on site at all times and shall be made available to DEQ representatives upon request.

**[PTC No. 077-00006, 12/12/01]**

9.21 The permittee shall at all times (except as provided in the *Rules for the Control of Air Pollution in Idaho*) maintain in good working order and operate as efficiently as practicable, all treatment or control facilities or systems installed or used to achieve compliance with the terms and conditions of this permit and other applicable Idaho laws for the control of air pollution.

**[General Provision 2 of PTC No. 077-00006, 12/12/01]**

9.22 The permittee shall monitor and record the following information:

9.22.1 The feed rate of P<sub>2</sub>O<sub>5</sub> equivalent to the Granulation No. 3 plant, in tons per hour, and tons per rolling 12-month period on a monthly basis.

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**[PTC No. 077-00006, 12/12/01]**

- 9.22.2 The throughput of P<sub>2</sub>O<sub>5</sub> to the defluorination process for that month and for the previous rolling 12-month period on a monthly basis.

**[PTC No. 077-00006, 11/12/99]**

- 9.22.3 The pressure drop across the baghouse, pressure drop across the scrubber, and liquid flow rate through the scrubber on a daily basis.

**[PTC No. 077-00006, 12/12/01]**

- 9.22.4 The rolling 24-hour average heat input of natural gas to the dryer in MMBtu per hour.

**[PTC No. 077-00006, 12/12/01]**

- 9.22.5 The throughput of TSP and livestock feed through the east dry-bulking station on both a daily and annual basis to determine compliance with Permit Condition 9.11.2. The permittee shall record the operating hours on a daily basis. The permittee shall calculate the daily, average hourly emission rate to demonstrate compliance with Permit Condition 9.1.2. All records shall be maintained on site for five years and shall be made available to DEQ representatives upon request.

**[PTC No. 077-00006, 9/13/95; IDAPA 58.01.01.322.06, 07, 5/1/94;  
IDAPA 58.01.01.322.08, 4/5/00]**

### ***Reporting Requirements***

- 9.23 Reserved.

- 9.24 40 CFR 63, Subpart BB, is not applicable to the Granulation No. 3 plant. The permittee shall notify DEQ prior to introducing ammonia into the Granulation No. 3 plant to generate diammonium and/or monoammonium phosphate.

**[IDAPA 58.01.01.325.01.b, 5/1/94]**

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**10. EMISSIONS UNIT GROUP 8: GYPSUM STACK (PILE)****Summary Description**

The following is a narrative description of the gypsum stack regulated in this Tier I operating permit. This description is for informational purposes only.

Slurried gypsum from the phosphoric acid plant is combined with process water and flows to the gypsum thickener. Dewatered gypsum slurry is pumped to the gypsum stack (pile). The gypsum stack consists of three primary ponds/cells separated by dikes and levies. Gypsum slurry is collected in one cell while the other cells are allowed to dry, leaving gypsum. Backhoes move the gypsum up around the edges of the dry cell(s) and bulldozers spread and compact the material to increase the capacity of the stack. With the new edges in place, the slurried gypsum feed line(s) are then diverted to the dry cell(s) and the slurried cell is allowed to dry. Water used to transport gypsum to the gypsum stack is decanted and recycled back to the process to be used as process water.

The sources in the gypsum stack are the gypsum stack pond, dike-building activities and wind-blown dust.

Table 10.1 specifies the emissions points related to the gypsum stack.

**Table 10.1 EMISSIONS UNIT AND POINTS**

Emissions Unit	Source ID	Control Device	Emissions Point
Gypsum stack	1701	None	Gypsum stack pond
	1712	None	Dike building activities
	1713	None	Wind-blown dust

Table 10.2 contains only a summary of the requirements that apply to the gypsum stack. Specific permit requirements are listed below Table 10.2.

**Table 10.2 SUMMARY OF EMISSIONS LIMITS**

Permit Conditions	Parameter	Permit Limit / Standard Summary	Applicable Requirements Reference	Monitoring and Record-keeping Requirements
10.1	Total fluorides	17.50 lb/hr, 76.65 T/yr	Tier II Permit No. 077-00006	10.9
10.2	PM <sub>10</sub>	4.30 lb/hr, 18.84 T/yr	Tier II Permit No. 077-00006	
10.3	Phosphogypsum	Phosphogypsum removal from stacks	40 CFR 60, Subpart R	10.5 to 10.8, 10.10, 10.11, 10.12

**Permit Limits / Standard Summary**

- 10.1 Fluoride emissions from the gypsum stack shall not exceed 17.5 lb/hr and 76.65 T/yr.  
[Tier II Permit No. 077-00006, 12/3/99]
- 10.2 The PM<sub>10</sub> emissions from the gypsum stack shall not exceed 4.30 lb/hr and 18.84 T/yr.

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**[Tier II Permit No. 077-00006, 12/3/99]**

- 10.3 Each person who generates phosphogypsum shall place all phosphogypsum in stacks. Phosphogypsum may be removed from a phosphogypsum stack only as expressly provided by 40 CFR 61, Subpart R.  
**[40 CFR 61.202]**

**Operating Requirements**

10.4 Reserved.

10.5 Phosphogypsum may be lawfully removed from a stack and distributed in commerce for use in outdoor agricultural research and development and agricultural field use if each of the following requirements is satisfied:

- (a) The owner or operator of the stack from which the phosphogypsum is removed shall determine annually the average radium-226 concentration at the location in the stack from which the phosphogypsum will be removed, as provided by Permit Condition 10.8.
- (b) The average radium-226 concentration at the location in the stack from which the phosphogypsum will be removed, as determined pursuant to Permit Condition 10.8, shall not exceed 10 pCi/g (4500 pCi/lb).
- (c) All phosphogypsum distributed in commerce for use pursuant to this Section by the owner or operator of a phosphogypsum stack shall be accompanied by a certification document which conforms to the requirements of Permit Condition 10.11(a).
- (d) Each distributor, retailer, or reseller who distributes phosphogypsum for use pursuant to this section shall prepare certification documents which conform to the requirements of Permit Condition 10.11(b).
- (e) Use of phosphogypsum for indoor research and development in a laboratory must comply with Permit Condition 10.6.

**[40 CFR 61.204]**

- 10.6 (a) Phosphogypsum may be lawfully removed from a stack and distributed in commerce for use in indoor research and development activities, provided that it is accompanied at all times by certification documents which conform to the requirements of Permit Condition 10.11. In addition, before distributing phosphogypsum to any person for use in indoor research and development activities, the owner or operator of a phosphogypsum stack shall obtain from that person written confirmation that the research facility will comply with all of the limitations set forth in paragraph (b) of this section.
- (b) Any person who purchases and uses phosphogypsum for indoor research and development purposes shall comply with all of the following limitations. Any use of phosphogypsum for indoor research and development purposes not consistent with the limitations set forth in this section shall be construed as unauthorized distribution of phosphogypsum.

Each quantity of phosphogypsum purchased by a facility for a particular research and development activity shall be accompanied by certification documents which conform to the requirements of Permit Condition 10.11.

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- (1) No facility shall purchase or possess more than 3182 kg (7,000 pounds) of phosphogypsum for a particular indoor research and development activity. The total quantity of all phosphogypsum at a facility, as determined by summing the individual quantities purchased or possessed for each individual research and development activity conducted by that facility, may exceed 3182 kg (7,000 pounds), provided that no single room in which research and development activities are conducted shall contain more than 3182 kg (7,000 pounds).
  - (2) Containers of phosphogypsum used in indoor research and development activities shall be labeled with the following warning: Caution: Phosphogypsum Contains Elevated Levels of Naturally Occurring Radioactivity.
  - (3) For each indoor research and development activity in which phosphogypsum is used, the facility shall maintain records which conform to the requirements of Permit Condition 10.12(c).
  - (4) Indoor research and development activities must be performed in a controlled laboratory setting which the general public cannot enter except on an infrequent basis for tours of the facility. Uses of phosphogypsum for outdoor agricultural research and development and agricultural field use must comply with Permit Condition 10.5.
- (c) Phosphogypsum not intended for distribution in commerce may be lawfully removed from a stack by an owner or operator to perform laboratory analyses required by 40 CFR 61, Subpart R or any other quality control or quality assurance analyses associated with wet acid phosphorus production.

**[40 CFR 61.205]**

- 10.7
- (a) Phosphogypsum may not be lawfully removed from a stack and distributed or used for any purpose not expressly specified in Permit Condition 10.5 or 10.6 without prior EPA approval.
  - (b) A request that EPA approve distribution and/or use of phosphogypsum for any other purpose must be submitted in writing and must contain the following information:
    - (1) The name and address of the person(s) making the request.
    - (2) A description of the proposed use, including any handling and processing that the phosphogypsum will undergo.
    - (3) The location of each facility, including suite and/or building number, street, city, county, state, and zip code, where any use, handling, or processing of the phosphogypsum will take place.
    - (4) The mailing address of each facility where any use, handling, or processing of the phosphogypsum will take place, if different from paragraph (b)(3) of this section.
    - (5) The quantity of phosphogypsum to be used by each facility.
    - (6) The average concentration of radium-226 in the phosphogypsum to be used.

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- (7) A description of any measures which will be taken to prevent the uncontrolled release of phosphogypsum into the environment.
  - (8) An estimate of the maximum individual risk, risk distribution, and incidence associated with the proposed use, including the ultimate disposition of the phosphogypsum or any product in which the phosphogypsum is incorporated.
  - (9) A description of the intended disposition of any unused phosphogypsum.
  - (10) Each request shall be signed and dated by a corporate officer or public official in charge of the facility.
- (c) The Assistant Administrator for Air and Radiation may decide to grant a request that EPA approve distribution and/or use of phosphogypsum if he determines that the proposed distribution and/or use is at least as protective of public health, in both the short term and the long term, as disposal of phosphogypsum in a stack or a mine.
- (d) If the Assistant Administrator for Air and Radiation decides to grant a request that EPA approve distribution and/or use of phosphogypsum for a specified purpose, each of the following requirements shall be satisfied:
- (1) The owner or operator of the stack from which the phosphogypsum is removed shall determine annually the average radium-226 concentration at the location in the stack from which the phosphogypsum will be removed, as provided in Permit Condition 10.8.
  - (2) All phosphogypsum distributed in commerce by the owner or operator of a phosphogypsum stack, or by a distributor, retailer, or reseller, or purchased by the end-user, shall be accompanied at all times by certification documents which conform to the requirements in Permit Condition 10.11.
  - (3) The end-user of the phosphogypsum shall maintain records which conform to the requirements of 40 CFR 61.209(c).
- (e) If the Assistant Administrator for Air and Radiation decides to grant a request that EPA approve distribution and/or use of phosphogypsum for a specified purpose, the Assistant Administrator may decide to impose additional terms or conditions governing such distribution or use. In appropriate circumstances, the Assistant Administrator may also decide to waive or modify the record-keeping requirements established by Permit Condition 10.12(c).

**[40 CFR 61.206]**

- 10.8 Before removing phosphogypsum from a stack for distribution in commerce pursuant to Permit Conditions 10.5 or 10.7, the owner or operator of a phosphogypsum stack shall measure the average radium-226 concentration at the location in the stack from which phosphogypsum will be removed. Measurements shall be performed for each such location prior to the initial distribution in commerce of phosphogypsum removed from that location and at least once during each calendar year while distribution of phosphogypsum removed from the location continues. Measurements shall be conducted in accordance with 40 CFR 61.207(a)-(c).

**[40 CFR 61.207]**



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**Monitoring and Recordkeeping Requirements**

- 10.9 The permittee shall demonstrate compliance with the total fluoride emissions limits in Permit Condition 10.1, and PM<sub>10</sub> emissions limits in Permit Condition 10.2 using method specified in Simplot's June 29, 2000 Tier I/II application, Appendix D, Air Emissions Inventory.  
**[IDAPA 58.01.01.06, 07, 5/1/94; IDAPA 58.01.01.322.08, 4/5/00]**
- 10.10 If the gypsum stack ever becomes classified as an inactive stack, the permittee shall record the date of inactivity and notify DEQ immediately. If the gypsum stacks become classified as inactive, the permittee is then immediately subject to the Radon-222 emissions limits and its related requirements in 40 CFR 61 Subpart R.  
**[IDAPA 58.01.01.322.01, 3/19/99; IDAPA 58.01.01.322.07, 5/1/94]**
- 10.11 (a) (1) The owner or operator of a stack from which phosphogypsum will be removed and distributed in commerce pursuant to Permit Conditions 10.5, 10.6, or 10.7 shall prepare a certification document for each quantity of phosphogypsum which is distributed in commerce which includes:
- (i) The name and address of the owner or operator;
  - (ii) The name and address of the purchaser or recipient of the phosphogypsum;
  - (iii) Quantity of phosphogypsum, in kilograms or pounds, sold or transferred;
  - (iv) The date of sale or transfer;
  - (v) A description of the intended end-use for the phosphogypsum;
  - (vi) The average radium-226 concentration, in pCi/g (pCi/lb), of the phosphogypsum, as determined pursuant to 40 CFR 61.207; and
  - (vii) The signature of the person who prepared the certification.
- (2) The owner or operator shall retain the certification document for five years from the date of sale or transfer, and shall produce the document for inspection upon request by the Administrator, or his authorized representative. The owner or operator shall also provide a copy of the certification document to the purchaser or recipient.
- (b) (1) Each distributor, retailer, or reseller who purchases or receives phosphogypsum for subsequent resale or transfer shall prepare a certification document for each quantity of phosphogypsum which is resold or transferred which includes:
- (i) The name and address of the distributor, retailer, or reseller;
  - (ii) The name and address of the purchaser or recipient of the phosphogypsum;
  - (iii) The quantity (in pounds) of phosphogypsum resold or transferred;
  - (iv) The date of resale or transfer;
  - (v) A description of the intended end-use for the phosphogypsum;
  - (vi) A copy of each certification document which accompanied the phosphogypsum at the time it was purchased or received by the distributor, retailer, or reseller; and

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(vii) The signature of the person who prepared the certification

- (2) The distributor, retailer, or reseller shall retain the certification document for five years from the date of resale or transfer, and shall produce the document for inspection upon request by the Administrator, or his authorized representative. For every resale or transfer of phosphogypsum to a person other than an agricultural end-user, the distributor, retailer, or reseller shall also provide a copy of the certification document to the purchaser or transferee.

**[40 CFR 61.208]**

- 10.12 (a) Each owner or operator of a phosphogypsum stack must maintain records for each stack documenting the procedure used to verify compliance with the flux standard in Permit Condition 10.3, including all measurements, calculations, and analytical methods on which input parameters were based. The required documentation shall be sufficient to allow an independent auditor to verify the correctness of the determination made concerning compliance of the stack with flux standard.
- (b) Each owner or operator of a phosphogypsum stack must maintain records documenting the procedure used to determine average radium-226 concentration pursuant to 40 CFR 61.207, including all measurements, calculations, and analytical methods on which input parameters were based. The required documentation shall be sufficient to allow an independent auditor to verify the accuracy of the radium-226 concentration.
- (c) Each facility which uses phosphogypsum pursuant to Permit Condition 10.6 or 10.7 shall prepare records which include the following information:
- (1) The name and address of the person in charge of the activity involving use of phosphogypsum.
  - (2) A description of each use of phosphogypsum, including the handling and processing that the phosphogypsum underwent.
  - (3) The location of each site where each use of phosphogypsum occurred, including the suite and/or building number, street, city, county, state, and zip code.
  - (4) The mailing address of each facility using phosphogypsum, if different from paragraph (c)(3) of this section.
  - (5) The date of each use of phosphogypsum.
  - (6) The quantity of phosphogypsum used.
  - (7) The certified average concentration of radium-226 for the phosphogypsum which was used.
  - (8) A description of all measures taken to prevent the uncontrolled release of phosphogypsum into the environment.
  - (9) A description of the disposition of any unused phosphogypsum.
- (d) These records shall be retained by the facility for at least five years from the date of use of the phosphogypsum and shall be produced for inspection upon request by the Administrator, or his authorized representative.

**[40 CFR 61.209]**

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**11. EMISSIONS UNIT GROUP 9: RESERVED**

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## 12. EMISSIONS UNIT GROUP 10: PHOSPHORIC ACID MANUFACTURING PLANTS - PHOSPHORIC ACID PLANT NO. 400 / WET PROCESS PHOSPHORIC ACID PROCESS LINE

### Summary Description

The following is a narrative description of the phosphoric acid plant No. 400 regulated in this Tier I operating permit. This description is for informational purposes only.

Phosphoric acid is produced by the reaction of sulfuric acid with phosphate ore. The sulfuric acid is generally produced on site at one of the two sulfuric acid plants (No. 300 and No. 400) and the phosphate ore is pumped in from the Smoky Canyon mine as a slurry. The ore slurry is partially dewatered in the ore thickener and excess water can be stored in one of the three slurry water storage silos. The thickened phosphate ore slurry is pumped into the main reactor at the phosphoric acid plant and mixed with high concentration sulfuric acid (typically 93%), water, and recycled acid from the belt filters. This reaction produces phosphoric acid and phosphogypsum (calcium sulfate,  $\text{CaSO}_4$ ). The gypsum is removed by pumping the slurry onto belt filters where the phosphoric acid is removed. The solid gypsum is washed on the filters and the resulting gypsum slurry is sent to the gypsum thickener, and then to the gypsum stack. The phosphoric acid filtrate is concentrated using clarifiers and evaporators. The phosphoric acid is sent either to product storage tanks or on to the superphosphoric acid manufacturing process.

Table 12.1 describes the emissions point and the control devices used in controlling emissions. Emissions from the phosphoric acid reactor are contained inside the phosphoric acid plant No. 400 building, vented to a Davy-McKee Scrubber, and then vented through one stack.

**Table 12.1: EMISSIONS UNITS, CONTROL DEVICES, AND POINT**

Source ID	Emissions unit(s)/Process(es)	Emissions Control Device	Emissions Point
212.0	Phosphoric acid reactor	Digester scrubber	Belt filter scrubber stack
202.0	Digester hotwell		
226.0	Digester flash cooler pre-condensers		
203.1	Digester flash cooler vacuum pumps		
200.0	No. 2 Hot pit	Belt filter scrubber	
204.0	Belt filter filtrate cans		
209.0	Belt filters		
215.0	Evaporator hotwells		
203.2	Belt filter vacuum pumps		

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Table 12.2 contains only a summary of the requirements that apply to the phosphoric acid plant No. 400. Specific permit requirements are listed below Table 12.2.

**Table 12.2<sup>(1)</sup>: SUMMARY OF EMISSIONS LIMITS**

Permit Conditions	Parameter	Permit Limit / Standard Summary	Applicable Requirements Reference	Operating, Monitoring and Record-keeping Requirements
12.1	Total fluoride	1.3 lb/hr, 4.71 T/yr	Tier II Permit No. 077-00006	12.6 through 12.12, 12.15 through 12.20
		0.020 lb/T of equivalent P <sub>2</sub> O <sub>5</sub> feed	40 CFR 63.602(a); Tier II Permit No. 077-00006	
12.2	PM	3.38 lb/hr, 14.80 T/yr	Tier II Permit No. 077-00006	12.6, 12.7, 12.13
		Process weight rate	IDAPA 58.01.01.702	
12.3	PM <sub>10</sub>	2.77 lb/hr, 12.13 T/yr	Tier II Permit No. 077-00006	12.6, 12.7, 12.13
12.4	Total reduced sulfur	8.61 lb/hr, 37.7 T/yr	Tier II Permit No. 077-00006	12.4, 12.14
12.5	Fugitive PM <sub>10</sub>	0.01 lb/hr, 0.03 T/yr	Tier II Permit No. 077-00006	12.5

<sup>1</sup> If any requirement in this permit conflicts with any requirement contained in 40 CFR 63, the requirement in 40 CFR 63 shall supercede.

## ***Permit Limits / Standard Summary***

### **12.1 Total Fluorides**

12.1.1 For the wet process phosphoric acid process line, the permittee shall comply with the total fluorides standard of 0.020 lb/T of equivalent P<sub>2</sub>O<sub>5</sub> feed.

**[40 CFR 63.602(a)]**

12.1.2 Total particulate and gaseous fluoride emissions from the phosphoric acid plant No. 400 stack shall not exceed 1.30 lb/hr, and 4.71 T/yr.

**[Tier II Permit No. 077-00006, 12/3/99]**

12.2 The PM emissions from the phosphoric acid plant No. 400 stack shall not exceed the emission limits set by IDAPA 58.01.01.701, or 3.38 lb/hr (whichever is more restrictive), and shall not exceed 14.80 T/yr. The ton-per-year rate shall be determined by multiplying the actual or allowable (if actual is not available) pound-per-hour emission rate by the actual hours per year the process(es) venting to this stack operate(s).

**[Tier II Permit No. 077-00006, 12/3/99; IDAPA 58.01.01.701, 4/5/00]**

12.3 The PM<sub>10</sub> emissions from the phosphoric acid plant No. 400 stack shall not exceed 2.77 lb/hr and 12.13 T/yr. The ton-per-year rate shall be determined by multiplying the actual or allowable (if actual is not available) pound-per-hour emission rate by the actual hours per year the process(es) venting to this stack operate(s).

**[Tier II Permit No. 077-00006, 12/3/99]**

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- 12.4 Total reduced sulfur emissions from the phosphoric acid plant No. 400 stack shall not exceed 8.61 lb/hr, and 37.7 T/yr. The ton-per-year emissions rate shall be determined by multiplying the actual or allowable (if actual is not available) pound-per-hour emission rate by the actual hours per year the process(es) venting to this stack operate(s).

**[Tier II Permit No. 077-00006, 12/3/99]**

- 12.5 Uncaptured fugitive PM<sub>10</sub> emissions shall be reasonably controlled, as required in IDAPA 58.01.01.650 and 651. In addition, they shall not exceed 0.01 lb/hr and 0.03 T/yr, as determined in Simplot's June 29, 2000 Tier I/II application Appendix D, Air Emissions Inventory.

**[Tier II Permit No. 077-00006, 12/3/99]**

### **Operating Requirements**

- 12.6 On or after the date on which the performance test required to be conducted by 40 CFR 63.7 and Permit Condition 12.12 is required to be completed, the owner/operator using a wet scrubbing emission control system must maintain daily averages of the pressure drop across each scrubber and of the flow rate of the scrubbing liquid to each scrubber within the allowable ranges established pursuant to the requirements of Permit Condition 12.11(1) or (2).

**[40 CFR 63.604; Tier II Permit No. 077-00006, 12/3/99]**

- 12.7 Maintenance to a scrubber and/or process maintenance shall be performed if visible emissions from the scrubber stack exceed 15% opacity. This maintenance opacity applies to all scrubbers described in this process. The permittee shall maintain a record of emission control equipment maintenance, which will be made available to inspectors on request.

**[Tier II Permit No. 077-00006, 12/3/99]**

### **Monitoring Requirements**

- 12.8 Each owner or operator of a new or existing wet-process phosphoric acid process line subject to the provisions of 40 CFR 63, Subpart AA shall install, calibrate, maintain, and operate a monitoring system which can be used to determine and permanently record the mass flow of phosphorus-bearing feed material to the process. The monitoring system shall have an accuracy of  $\pm 5\%$  over its operating range.

**[40 CFR 63.605(a)(1)]**

- 12.9 Each owner or operator of a new or existing wet-process phosphoric acid process line or superphosphoric acid process line subject to the provisions of 40 CFR 63, Subpart AA shall maintain a daily record of equivalent P<sub>2</sub>O<sub>5</sub> feed by first determining the total mass rate in metric ton/hour of phosphorus bearing feed using a monitoring system for measuring mass flow rate which meets the requirements of Permit Condition 12.8 and then by proceeding according to Permit Condition 12.12.2(3).

**[40 CFR 63.605(b)(1)]**

- 12.10 Each owner or operator of a new or existing wet-process phosphoric acid process line using a wet scrubbing emission control system shall install, calibrate, maintain, and operate the following monitoring systems:

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- (1) A monitoring system which continuously measures and permanently records the pressure drop across each scrubber in the process scrubbing system in 15-minute block averages. The monitoring system shall be certified by the manufacturer to have an accuracy of  $\pm 5\%$  over its operating range.
- (2) A monitoring system which continuously measures and permanently records the flow rate of the scrubbing liquid to each scrubber in the process scrubbing system in 15-minute block averages. The monitoring system shall be certified by the manufacturer to have an accuracy of  $\pm 5\%$  over its operating range.

**[40 CFR 63.605(c)]**

12.11 Following the date on which the performance test required in Permit Condition 12.12 is completed, the owner or operator of a new or existing affected source using a wet scrubbing emission control system and subject to emissions limitations for total fluorides contained in 40 CFR 63, Subpart AA must establish allowable ranges for operating parameters using the methodology of either paragraph (1) or (2) of this section:

- (1) The allowable range for the daily averages of the pressure drop across each scrubber and of the flow rate of the scrubbing liquid to each scrubber in the process scrubbing system is  $\pm 20\%$  of the baseline average value determined as a requirement of Permit Condition 12.12.2(4). The Administrator retains the right to reduce the  $\pm 20\%$  adjustment to the baseline average values of operating ranges in those instances where performance test results indicate that a source's level of emissions is near the value of an applicable emissions standard, but, in no instance shall the adjustment be reduced to less than  $\pm 10\%$ . The owner or operator must notify the Administrator of the baseline average value and must notify the Administrator each time that the baseline value is changed as a result of the most recent performance test. When a source using the methodology of this paragraph is retested, the owner or operator shall determine whether new allowable ranges of baseline average values will be based upon the new performance test or (if the new performance test results are within the previously established range) whether there will be no change in the operating parameters derived from previous tests. When a source using the methodology of this paragraph is retested and the performance test results are submitted to the Administrator pursuant to Permit Condition 12.17(1), 63.7(g)(1), and/or 63.10(d)(2), the owner or operator will indicate whether the operating range will be based on the new performance test or the previously established range. If the Administrator has not denied approval of the new operating ranges within 30 days of submission of the performance test results, the new ranges shall be deemed approved and the new baseline value shall then be effective on the 31st day following submission.

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- (2) The owner or operator of any new or existing affected source shall establish, and provide to the Administrator for approval, allowable ranges for the daily averages of the pressure drop across and of the flow rate of the scrubbing liquid to each scrubber in the process scrubbing system for the purpose of assuring compliance with Subpart AA. Allowable ranges may be based upon baseline average values recorded during previous performance tests using the test methods required in Permit Condition 12.12.2(4). As an alternative, the owner or operator can establish the allowable ranges using the results of performance tests conducted specifically for the purposes of this paragraph using the test methods required in Subpart AA and established in the manner required in Permit Condition 12.12.2(4). The source shall certify that the control devices and processes have not been modified subsequent to the testing upon which the data used to establish the allowable ranges were obtained. The allowable ranges developed pursuant to the provisions of this paragraph must be submitted to the Administrator for approval. The owner or operator must request and obtain approval of the Administrator for changes to the allowable ranges. When a source using the methodology of this paragraph is retested, the owner or operator shall determine new allowable ranges of baseline average values unless the retest indicates no change in the operating parameters outside the previously established ranges. If the Administrator has not denied approval of the new operating ranges within 30 days of submission of the performance test results, the new ranges shall be deemed approved and the new baseline value shall then be effective on the 31st day following submission.

[40 CFR 63.605(d)]

**Compliance Tests and Compliance Provisions**

- 12.12 On or before June 10, 2002, and once per annum thereafter, each owner or operator of a phosphoric acid manufacturing plant shall conduct a performance test to demonstrate compliance with the total fluorides emissions limits in Permit Condition 12.1 for each existing wet-process phosphoric acid process line. The owner or operator shall conduct the performance test according to the procedures in 40 CFR Part 63, Subpart A and in this permit condition.

[40 CFR 63.606(a)(1); Tier II Permit No. 077-00006, 12/3/99]

- 12.12.1 In conducting performance tests, each owner or operator of an affected source shall use as reference methods and procedures the test methods in 40 CFR Part 60, Appendix A, or other methods and procedures as specified in this Permit Condition, except as provided in 40 CFR 63.7(f).

[40 CFR 63.606(b); Tier II Permit No. 077-00006, 12/3/99]

- 12.12.2 Each owner or operator of a new wet-process phosphoric acid process line or superphosphoric acid process line shall determine compliance with the applicable total fluorides standard in Permit Condition 12.1.1, as specified in (1) and (2).

- (1) The emission rate (E) of total fluorides shall be computed for each run using the following equation:

$$E = \left( \sum_{i=1}^N C_{si} Q_{sdi} \right) / (PK)$$



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Where:

E = emission rate of total fluorides, g/metric ton (lb/ton) of equivalent  $P_2O_5$  feed.  
 $C_{si}$  = concentration of total fluorides from emission point "i," mg/dscm (mg/dscf).  
 $Q_{sdi}$  = volumetric flow rate of effluent gas from emission point "i," dscm/hr (dscf/hr).  
N = number of emission points associated with the affected facility.  
P = equivalent  $P_2O_5$  feed rate, metric ton/hr (ton/hr).  
K = conversion factor, 1000 mg/g (453,600 mg/lb).

- (2) Method 13A or 13B (40 CFR Part 60, Appendix A) shall be used to determine the total fluorides concentration ( $C_{si}$ ) and volumetric flow rate ( $Q_{sdi}$ ) of the effluent gas from each of the emission points. If Method 13B is used, the fusion of the filtered material described in Section 7.3.1.2 and the distillation of suitable aliquots of containers 1 and 2, described in Sections 7.3.3 and 7.3.4. in Method 13 A, may be omitted. The sampling time and sample volume for each run shall be at least 60 minutes and 0.85 dscm (30 dscf).
- (3) The equivalent  $P_2O_5$  feed rate (P) shall be computed using the following equation:

$$P = M_p R_p$$

Where:

- $M_p$  = total mass flow rate of phosphorus-bearing feed, metric ton/hr (ton/hr).  
 $R_p$  =  $P_2O_5$  content, decimal fraction.
- (i) The accountability system described in 40 CFR Part 63.605(a) and (b) shall be used to determine the mass flow rate ( $M_p$ ) of the phosphorus-bearing feed.
- (ii) The  $P_2O_5$  content ( $R_p$ ) of the feed shall be determined using as appropriate the following methods (incorporated by reference - see 40 CFR 63.14) specified in the Book of Methods Used and Adopted By The Association Of Florida Phosphate Chemists, Seventh Edition 1991, where applicable:
- (A) Section IX, Methods of Analysis For Phosphate Rock, No. 1 Preparation of Sample.
- (B) Section IX, Methods of Analysis For Phosphate Rock, No. 3 Phosphorus-  $P_2O_5$  or  $Ca_3(PO_4)_2$ , Method A-Volumetric Method.
- (C) Section IX, Methods of Analysis For Phosphate Rock, No. 3 Phosphorus-  $P_2O_5$  or  $Ca_3(PO_4)_2$ , Method B-Gravimetric Quimociac Method.
- (D) Section IX, Methods of Analysis For Phosphate Rock, No. 3 Phosphorus-  $P_2O_5$  or  $Ca_3(PO_4)_2$ , Method C-Spectrophotometric Method.
- (E) Section XI, Methods of Analysis For Phosphoric Acid, Superphosphate, Triple Superphosphate, and Ammonium Phosphates, No. 3 Total Phosphorus-  $P_2O_5$ , Method A-Volumetric Method.
- (F) Section XI, Methods of Analysis For Phosphoric Acid, Superphosphate, Triple Superphosphate, and Ammonium Phosphates, No. 3 Total Phosphorus-  $P_2O_5$ , Method B-Gravimetric Quimociac Method.

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(G) Section XI, Methods of Analysis For Phosphoric Acid, Superphosphate, Triple Superphosphate, and Ammonium Phosphates, No. 3 Total Phosphorus-  $P_2O_5$ , Method C- Spectrophotometric Method.

- (4) To comply with Permit Condition 12.11(1) or (2), the owner or operator shall use the monitoring systems in Permit Condition 2.10 to determine the average pressure loss of the gas stream across each scrubber in the process scrubbing system and to determine the average flow rate of the scrubber liquid to each scrubber in the process scrubbing system during each of the total fluoride runs. The arithmetic averages of the three runs shall be used as the baseline average values for the purposes of Permit Condition 12.11(1) or (2).

**[40 CFR 63.606(c)]**

**12.13 PM and PM<sub>10</sub> Performance Test**

- 12.13.1 The permittee shall conduct compliance tests within 12 months of, or 12 months prior to, December 24, 2002 to demonstrate compliance with the PM and PM<sub>10</sub> hourly emissions limits required in Permit Conditions 12.2 and 12.3. After the first compliance test, the permittee shall conduct a compliance test once per annum to demonstrate compliance with hourly PM and PM<sub>10</sub> emissions limits in Permit Conditions 12.2 and 12.3.

During calendar years 2003, 2004, and 2005, compliance with the PM<sub>10</sub> emissions limit in Permit Condition 12.3 shall be determined by conducting a Method 5 performance test on the belt filter scrubber stack. The PM<sub>10</sub> fraction of the PM emission rate determined during the test shall be determined by multiplying the PM emission rate by a 0.82 conversion factor.

During calendar years 2004 and 2005, Method 5 and 202 performance tests shall be conducted on the belt filter scrubber stack in addition to the Method 5 test. All performance testing shall be conducted in accordance with Permit Condition 2.16.

No later than September 30, 2005, Simplot shall submit a permit application to revise the PM<sub>10</sub> emissions limits to reflect the results of the Method 5 and 202 performance tests. The permit application shall contain justification for each emission limit proposed. Once DEQ issues a permit with revised PM<sub>10</sub> emissions limits, compliance with Permit Condition 12.3 shall be determined by source testing using Methods 5 and 202 on the belt filter scrubber stack.

- 12.13.2 The permittee shall record the equivalent  $P_2O_5$  feed rate to the process, the pressure drop across each scrubber, and the flow rate of the scrubber liquid to each scrubber during compliance tests.
- 12.13.3 The permittee shall conduct a visible emissions evaluation during each compliance test. The evaluation shall be conducted in accordance with the procedures contained in IDAPA 58.01.01.625.  
**[IDAPA 58.01.01.322.06, 5/1/94; Tier II Permit No. 077-00006, 12/3/99]**
- 12.14 The permittee shall conduct a one-time compliance test during permit term to demonstrate compliance with the total reduced sulfur limits in Permit Condition 12.4.  
**[IDAPA 58.01.01.322.06, 5/1/94; Tier II Permit No. 077-00006, 12/3/99]**

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**Notification, Record-keeping, and Reporting Requirements**

- 12.15 Each owner or operator subject to the requirements of 40 CFR 63, Subpart AA shall comply with the notification requirements in 40 CFR 63.9.  
**[40 CFR 63.607(a)]**
- 12.16 Each owner or operator subject to the requirements of 40 CFR 63, Subpart AA shall comply with the record-keeping requirements in 40 CFR 63.10.  
**[40 CFR 63.607(b)]**
- 12.17 The owner or operator of an affected source shall comply with the reporting requirements specified in 40 CFR 63.10 as follows:
- (1) Performance test report. As required by 40 CFR 63.10, the owner or operator shall report the results of the initial and annual performance tests as part of the notification of compliance status required in 40 CFR 63.9.
  - (2) Excess emissions report. As required by 40 CFR 63.10, the owner or operator of an affected source shall submit an excess emissions report for any exceedance of an operating parameter limit. The report shall contain the information specified in 40 CFR 63.10. When no exceedances of an operating parameter have occurred, such information shall be included in the report. The report shall be submitted semiannually and shall be delivered or postmarked by the 30th day following the end of the calendar half. If exceedances are reported, the owner or operator shall report quarterly until a request to reduce reporting frequency is approved as described in 40 CFR 63.10.
  - (3) Summary report. If the total duration of control system exceedances for the reporting period is less than 1% of the total operating time for the reporting period, the owner or operator shall submit a summary report containing the information specified in 40 CFR 63.10 rather than the full excess emissions report, unless required by the Administrator. The summary report shall be submitted semiannually and shall be delivered or postmarked by the 30th day following the end of the calendar half.
  - (4) If the total duration of control system operating parameter exceedances for the reporting period is 1% or greater of the total operating time for the reporting period, the owner or operator shall submit a summary report and the excess emissions report.
- [40 CFR 63.607(c)]**

**Compliance Date**

- 12.18 The permittee shall comply with 40 CFR 63, Subpart AA no later than June 10, 2002.  
**[40 CFR 63.609(a)]**

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***Exemption from New Source Performance Standards***

- 12.19 Any affected source subject to the provisions of 40 CFR 63, Subpart AA is exempted from any otherwise applicable new source performance standard contained in 40 CFR 60, Subpart T, Subpart U, or Subpart NN. To be exempt, a source must have a current operating permit pursuant to Title V of the CAA and the source must be in compliance with all requirements of 40 CFR 63, Subpart AA. For each affected source, this exemption is effective the date that the owner or operator demonstrates to the Administrator that the requirements of Permit Conditions 12.6, 12.8, 12.9, 12.10, 12.11, and 12.12 have been met.

**[40 CFR 63.610]**

***Applicability of 40 CFR 63, General Provisions***

- 12.20 The owner or operator shall comply with the requirements of the general provisions in 40 CFR 63, Subpart A, as contained in Appendix A to 40 CFR 63, Subpart AA.

**[40 CFR 63.608]**

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**13. EMISSIONS UNIT GROUP 11: PLANT ROADS*****Summary Description***

The following is a narrative description of the plant roads regulated in this Tier I permit. This description is for informational purposes only.

Light-and heavy-duty vehicles use plant roads to transport personnel and materials within the facility.

Table 13.1 relates the emissions point to the emissions units.

**Table 13.1 EMISSIONS UNITS AND EMISSIONS POINT**

Emissions Unit(s) / Process(es)	Emissions Control Device	Emissions Point
Paved roads	Reasonable methods as needed	Fugitive
Unpaved roads	Reasonable methods as needed	

Table 13.2 contains only a summary of the requirements that apply to plant roads. Specific permit requirements are listed below Table 13.2.

**Table 13.2 SUMMARY OF EMISSIONS LIMITS**

Permit Conditions	Parameter	Permit Limit / Standard Summary	Applicable Requirements Reference	Monitoring and Record-keeping Requirements
13.1	PM	3.12 lb/hr, 13.65 T/yr	Tier II Permit No. 077-00006	13.2
13.2	PM <sub>10</sub>	1.94 lb/hr, 8.48 T/yr	Tier II Permit No. 077-00006	13.2

***Permit Limits / Standard Summary, and Record-keeping***

- 13.1 The PM emissions from plant roads shall not exceed 3.12 lb/hr and 13.65 T/yr. The emissions limits shall be determined by DEQ's emissions estimation methods in J.R. Simplot's plant expansion permit application analysis.

**[Tier II Permit No. 077-00006, 12/3/99]**

- 13.2 The PM<sub>10</sub> emissions from plant roads shall not exceed 1.94 lb/hr and 8.48 T/yr. The emissions rates shall be determined from the *PM<sub>10</sub> Air Quality Improvement Plan for Power and Bannock Counties* dated May 1993.

**[Tier II Permit No. 077-00006, 12/3/99]**

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#### 14. EMISSIONS UNIT GROUP 12: RECLAIM COOLING TOWER CELLS PLANT (DIRECT CONTACT) /EVAPORATIVE COOLING TOWERS

##### Summary Description

The following is a narrative description of the reclaim cooling towers regulated in this Tier I operating permit. This description is for informational purposes only.

This process involves cooling process water from the manufacturing plants in direct-contact cooling towers. There are three cooling towers containing a total of eight cooling tower cells. The north reclaim cooling tower contains two cells, the east reclaim cooling tower contains three cells, and the west reclaim cooling tower contains three cells.

Table 14.1 below describes the emissions points and control devices of the reclaim cooling towers.

**Table 14.1 EMISSIONS UNITS, CONTROL DEVICES, AND POINTS**

Emissions Unit(s) / Process(es)	Source ID	Control Device	Emissions Point
North reclaim cooling tower	908	Mist-eliminator	Exhaust fans
West reclaim cooling tower	909	Mist-eliminator	Exhaust fans
East reclaim cooling tower	910	Mist-eliminator	Exhaust fans

Table 14.2 contains only a summary of the requirements that apply to the reclaim cooling towers. Specific permit requirements are listed below Table 14.2.

**Table 14.2 SUMMARY OF EMISSIONS LIMITS**

Permit Conditions	Parameter	Permit Limit / Standard Summary	Applicable Requirements Reference	Monitoring and Record-keeping Requirements
14.1	PM	Process weight rate	IDAPA 58.01.01.701	None
		17.65 lb/hr, 77.31 T/yr for each cell	Tier II Permit No. 077-00006	14.5, 14.6, 14.8
14.2	PM <sub>10</sub>	3.53 lb/hr, 15.48 T/yr for each cell	Tier II Permit No. 077-00006	
14.3	Fluoride	4.9 lb/hr, 21.70 T/yr for each cell	Tier II Permit No. 077-00006	14.4, 14.5, 14.6, 14.7, 14.8
14.4	Inlet streams	No effluent from air pollutant control scrubber	40 CFR 63, Subpart AA	14.10
14.5	Mist-eliminator	Present during operation of reclaim cooling towers.	Tier II Permit No. 077-00006	14.5

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**Permit Limits / Standard Summary**

**14.1 Particulate Matter Emissions**

- 14.1.1 Particulate matter emissions from each cell of the reclaim cooling towers shall not exceed 17.65 lb/hr and 77.31 T/yr. The ton-per-year emissions limit shall be determined by multiplying the actual or allowable (if actual is not available) pound-per-hour emission rate by the actual hours per year the process(es) venting to this stack operate(s).

[Tier II Permit No. 077-00006, 12/3/99]

- 14.1.2 Based on the process weight rate equation the limit is 40.7 lb/hr per cell using a flowrate of 3,750 gpm per cell (30,000 gpm to the cooling tower). Because Condition 14.1.1 is more stringent, compliance with Condition 14.1.1 shall be deemed compliance with Condition 14.1.2.

[IDAPA 58.01.01.701, 4/5/00]

- 14.2 The PM<sub>10</sub> emissions from each cell of the reclaim cooling towers shall not exceed 3.53 lb/hr, and 15.48 T/yr. The ton-per-year emissions limit shall be determined by multiplying the actual or allowable (if actual is not available) pound-per-hour emission rate by the actual hours per year the process(es) venting to this stack operate(s).

[Tier II Permit No. 077-00006, 12/3/99]

- 14.3 Fluoride emissions from each cell of the reclaim cooling towers shall not exceed 4.9 lb/hr and 21.70 T/yr. The ton-per-year emissions limit shall be determined by multiplying the actual or allowable (if actual is not available) pound-per-hour emission rate by the actual hours per year the process(es) venting to this stack operate(s).

[Tier II Permit No. 077-00006, 12/3/99]

**Operating Requirements**

- 14.4 No owner or operator shall introduce into any evaporative cooling tower any liquid effluent from any wet scrubbing device installed to control emissions from process equipment. Each owner or operator of an affected source subject to this paragraph must certify to the Administrator annually that he/she has complied with the requirements contained in this section.

[40 CFR 63.602(e)]

- 14.5 The permittee shall operate the mist-eliminator control device at all times during operation of the reclaim cooling towers.

[IDAPA 58.01.01.322.01, 3/19/99]

**Monitoring and Record-keeping Requirements**

**14.6 PM and PM<sub>10</sub> Compliance Tests:**

- 14.6.1 The permittee shall conduct a compliance test within 12 months of, or 12 months prior to, December 24, 2002 to demonstrate compliance with the PM and PM<sub>10</sub> hourly emissions limits in Permit Conditions 14.1 and 14.2.

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During calendar years 2003 and 2004, compliance with the PM<sub>10</sub> emissions limit in Permit Condition 14.2 shall be determined by conducting a Method 5 compliance test on one of the cooling tower cells in each of the three reclaim cooling towers. During calendar year 2005, six cooling tower cells will be tested. The PM<sub>10</sub> fraction of the PM emission rate determined during the test shall be determined by multiplying the PM emission rate by a 0.20 conversion factor.

During calendar years 2004, Method 5 and 202 tests shall be conducted on one of the cooling tower cells in each of the three reclaim cooling towers in addition to the Method 5 test. During calendar year 2005, six cooling cells will be tested. All compliance testing shall be conducted in accordance with Permit Condition 2.16.

No later than September 30, 2005, Simplot shall submit a permit application to revise the PM<sub>10</sub> emissions limits to reflect the results of the Method 5 and 202 tests. The permit application shall contain justification for each emission limit proposed. Once DEQ issues a permit with revised PM<sub>10</sub> emissions limits, compliance with Permit Condition 14.2 shall be determined by annual source testing using Methods 5 and 202 on two of the cooling tower cells in each of the three reclaim cooling towers. The annual source test shall be conducted as specified in Permit Condition 14.8.

**[IDAPA 58.01.01.322.06, 5/1/94; Tier II Permit No. 077-00006, 12/3/99]**

14.6.2 Reserved.

14.6.3 The permittee shall conduct a visible emissions evaluation during each compliance test. The visible emissions evaluation shall be conducted in accordance with the procedures contained in IDAPA 58.01.01.625.

**[Tier II Permit No. 077-00006, 12/3/99]**

**14.7 Total Fluorides Compliance Tests**

14.7.1 The permittee shall conduct compliance tests within 12 months of, or 12 months prior to, December 24, 2002 to demonstrate compliance with the total fluorides hourly emissions limit in Permit Condition 14.3.

**[IDAPA 58.01.01.322.06, 5/1/94; Tier II Permit No. 077-00006, 12/3/99]**

14.7.2 The permittee shall conduct a visible emissions evaluation during each compliance test. The visible emissions evaluation shall be conducted in accordance with the procedures contained in IDAPA 58.01.01.625.

**[IDAPA 58.01.01.322.06, 5/1/94; Tier II Permit No. 077-00006, 12/3/99]**

14.7.3 After the first compliance test is fulfilled as required in this permit condition, the permittee shall conduct a compliance test once per annum to demonstrate compliance with the hourly total fluorides emissions limit in Permit Condition 14.3 as specified in Permit Condition 14.8.

**[IDAPA 58.01.01.322.06, 07, 5/1/94; IDAPA 58.01.01.322.08, 4/5/00;  
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- 14.8 With respect to the compliance testing in Permit Condition 14.6 and 14.7, the permittee shall, in 2003 and 2004, test one of the cooling tower cells in each of the three reclaim cooling towers. In and after 2005, the permittee shall test two cooling tower cells in each of the three reclaim cooling towers. The permittee shall select different cooling tower cells for testing from year to year until all of the cells within a particular cooling tower have been tested. Once all cells in a cooling tower have been tested, the cell selection process shall start again.

**[Tier II Permit No. 077-00006, 12/3/99]**

14.9 Reserved.

14.9.1 Reserved.

14.9.2 Reserved.

14.9.3 Reserved.

- 14.10 The permittee shall identify the entire flow path of all scrubber output and submit it to DEQ on or before the issuance of this permit.

**[IDAPA 58.01.01.322.01, 3/19/99]**

**AIR QUALITY TIER I OPERATING PERMIT NUMBER: T1-040313**

<b>Permittee:</b> J.R. Simplot Co. - Don Siding Plant	<b>Facility ID No.</b> 077-00006	<b>Date Issued:</b> Draft for Public Comment
<b>Location:</b> Pocatello, Idaho		<b>Date Expires:</b> December 24, 2007

*The permittee is hereby allowed to operate the equipment described herein subject to all terms and conditions of the permit.*

**15. EMISSIONS UNIT GROUP 13: SUPERPHOSPHORIC ACID PLANT /  
SUPERPHOSPHORIC ACID PROCESS LINE**

***Summary Description***

The following is a narrative description of the SPA (superphosphoric acid) plant regulated in this Tier I operating permit. This description is for informational purposes only.

In the SPA process, merchant grade phosphoric acid (0-54-0), 54%  $P_2O_5$  acid, from the wet-phosphoric acid production line is further evaporated to the SPA concentration (0-69-0) of approximately 69%  $P_2O_5$ . Filtration of suspended solids and chemical oxidation of organic material are ancillary steps in SPA production. A description of the SPA process is included below with discussion of air pollutant emissions and control devices.

- Acid evaporation - Incoming feed phosphoric acid is vacuum-evaporated in equipment similar to the phosphoric acid plant evaporators. The vaporization of constituent compounds, such as water, concentrates the remaining phosphoric acid into SPA. The vapors extracted in this process are condensed in a non-contact condenser. The remaining vapors are processed through the primary control scrubber to capture fluoride emissions prior to discharge to the atmosphere. The primary control scrubber effluent is sent through the gypsum thickener and finally to the gypsum stack.
- Acid oxidation - SPA is transported to an oxidation-reaction vessel where residual impurities are oxidized by  $HNO_3$ . The oxidation of the impurities clarifies the SPA and it takes on a brilliant green color inherent of phosphoric acid. The  $NO_x$  produced during oxidation is collected, pressurized, and then extracted from the effluent stream in extended absorption scrubbers, two in series. The extended absorption scrubber effluent is finally processed through the primary control scrubber prior to discharge to the atmosphere.
- Acid aging and cooling - SPA is allowed to cure in aging tanks prior to cooling in heat exchangers. The aging allows time for residual reactions to go to completion.
- Pressure-leaf filter - Cooled SPA solution is delivered to a pressure-leaf filter where the acid is separated from the cake under pressure. The liquid SPA is delivered to product storage.

Table 15.1 describes the control devices used in controlling emissions from the SPA plant processes.

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**Table 15.1 EMISSIONS SOURCES**

Source ID	Emissions Unit(s) / Process(es)	Source Description	Emissions Control Device	Emissions Point
1102.0	Product tank	SPA plant/storage	Primary control scrubber	Scrubber stack
1108.1	Evaporators	SPA plant/process equipment	Non-contact condenser and primary control scrubber	
1108.2	Sump No.6	SPA plant/ process equipment	Primary control scrubber	
1109.0	Oxidizer	SPA plant/purification	Extended absorption and primary control scrubber	
1112.0	Evaporator feed tank	SPA plant storage	Primary control scrubber	
1113.0	Effluent tank	SPA plant	Primary control scrubber	
1506.0	Deflo-dilution tank	SPA plant/storage	None	

Table 15.2 contains only a summary of the requirements that apply to the SPA plant. Specific permit requirements are listed below Table 15.2.

**Table 15.2 <sup>(1)</sup> SUMMARY OF EMISSIONS LIMITS**

Permit Conditions	Parameter	Permit Limit/ Standard Summary	Applicable Requirements Reference	Operating, Monitoring and Record-keeping Requirements
15.1.1	Fluorides	0.010 lb/T P <sub>2</sub> O <sub>5</sub> feed	40 CFR 63.602(b)(1)	15.4 to 15.13, 15.17 to 15.22
15.1.2	Fugitive fluorides	0.37 lb/hr, 1.62 T/yr	Tier II Permit No. 077-00006	15.1.2
15.2	NO <sub>x</sub>	0.10 lb/hr, 0.4 T/yr	Tier II Permit No. 077-00006	15.4, 15.5, 15.6
15.3	CO	4.2 lb/hr, 18.3 T/yr	Tier II Permit No. 077-00006	15.15

<sup>1</sup> If any requirement in this permit conflicts with any requirement contained in 40 CFR 63, the requirement in 40 CFR 63 shall take precedence.

***Permit Limits / Standard Summary*****15.1 Total Fluorides**

- 15.1.1 For the superphosphoric acid process line (any process line which concentrates wet-process phosphoric acid to 66% or greater P<sub>2</sub>O<sub>5</sub> content by weight), the permittee shall not emit into the atmosphere from any affected source any gases which contain total fluorides in excess of 0.010 lb/ton of equivalent P<sub>2</sub>O<sub>5</sub> feed.

**[40 CFR 63.601; 40 CFR 63.602(b)(1)]**

- 15.1.2 Fugitive emissions of total fluorides from this process shall be reasonably controlled and shall not exceed 0.37 lb/hr and 1.62 T/yr, using the method specified in SIP inventory, which can be found in Simplot's June 29, 2000 Tier I/II application, Appendix D.

**[Tier II Permit No. 077-00006, 12/3/99]**

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*The permittee is hereby allowed to operate the equipment described herein subject to all terms and conditions of the permit.*

- 15.2 Emissions of NO<sub>x</sub> from the SPA oxidation process shall not exceed 0.10 lb/hr and 0.40 T/yr. (EPA Method 7 NO<sub>x</sub> testing was conducted and documented in reports dated April 30, 1991 and July 30, 1992. Both tests demonstrated compliance with the pound per hour emissions limit.)

**[Tier II Permit No. 077-00006, 12/3/99]**

- 15.3 Emissions of CO from the SPA oxidation process shall not exceed 4.2 lb/hr and 18.3 T/yr.

**[Tier II Permit No. 077-00006, 12/3/99]**

### **Operating Requirements**

- 15.4 On or after the date on which the performance test required to be conducted by 40 CFR 63.7 and Permit Condition 15.12 is required to be completed, the owner/operator using a wet scrubbing emission control system must maintain daily averages of the pressure drop across each scrubber and of the flow rate of the scrubbing liquid to each scrubber within the allowable ranges established pursuant to the requirements of Permit Condition 15.10(1) or (2).

**[40 CFR 63.604; Tier II Permit No. 077-00006, 12/3/99]**

- 15.5 The extended absorber scrubber shall be operated according to Simplot's Standard Operating Procedures (SOPs) for the scrubber.

**[IDAPA 58.01.01.322.01, 3/19/99]**

- 15.6 Maintenance on the extended-absorber scrubber shall be performed when visible emissions from the system exceed 10% opacity for no more than three minutes aggregate in any 60-minute period, as determined using the procedures in IDAPA 58.01.01.625.04.

**[Tier II Permit No. 077-00006, 12/3/99]**

### **Monitoring Requirements**

- 15.7 Each owner or operator of a new or existing wet-process phosphoric acid process line subject to the provisions of 40 CFR 63, Subpart AA shall install, calibrate, maintain, and operate a monitoring system which can be used to determine and permanently record the mass flow of phosphorus-bearing feed material to the process. The monitoring system shall have an accuracy of  $\pm 5\%$  over its operating range.

**[40 CFR 63.605(a)(1)]**

- 15.8 Each owner or operator of a new or existing wet-process phosphoric acid process line or superphosphoric acid process line subject to the provisions of 40 CFR 63, Subpart AA shall maintain a daily record of equivalent P<sub>2</sub>O<sub>5</sub> feed by first determining the total mass rate in metric ton/hour of phosphorus bearing feed using a monitoring system for measuring mass flow rate which meets the requirements of Permit Condition 15.7 and then by proceeding according to Permit Condition 15.13(3).

**[40 CFR 63.605(b)(1)]**

- 15.9 Each owner or operator of a new or existing wet-process phosphoric acid process line using a wet scrubbing emission control system shall install, calibrate, maintain, and operate the following monitoring systems:

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*The permittee is hereby allowed to operate the equipment described herein subject to all terms and conditions of the permit.*

- (1) A monitoring system which continuously measures and permanently records the pressure drop across each scrubber in the process scrubbing system in 15-minute block averages. The monitoring system shall be certified by the manufacturer to have an accuracy of  $\pm 5\%$  over its operating range.
- (2) A monitoring system which continuously measures and permanently records the flow rate of the scrubbing liquid to each scrubber in the process scrubbing system in 15-minute block averages. The monitoring system shall be certified by the manufacturer to have an accuracy of  $\pm 5\%$  over its operating range.

**[40 CFR 63.605(c)]**

15.10 Following the date on which the performance test required in Permit Condition 15.12 is completed, the owner or operator of a new or existing affected source using a wet scrubbing emission control system and subject to emissions limitations for total fluorides or particulate matter contained in 40 CFR 63, Subpart AA must establish allowable ranges for operating parameters using the methodology of either paragraph (1) or (2) of this section:

- (1) The allowable range for the daily averages of the pressure drop across each scrubber and of the flow rate of the scrubbing liquid to each scrubber in the process scrubbing system is  $\pm 20\%$  of the baseline average value determined as a requirement of Permit Condition 15.13(4). The Administrator retains the right to reduce the  $\pm 20\%$  adjustment to the baseline average values of operating ranges in those instances where performance test results indicate that a source's level of emissions is near the value of an applicable emissions standard, but, in no instance shall the adjustment be reduced to less than  $\pm 10\%$ . The owner or operator must notify the Administrator of the baseline average value and must notify the Administrator each time that the baseline value is changed as a result of the most recent performance test. When a source using the methodology of this paragraph is retested, the owner or operator shall determine whether new allowable ranges of baseline average values will be based upon the new performance test or (if the new performance test results are within the previously established range) whether there will be no change in the operating parameters derived from previous tests. When a source using the methodology of this paragraph is retested and the performance test results are submitted to the Administrator pursuant to Permit Condition 15.19(1), 63.7(g)(1), and/or 63.10(d)(2), the owner or operator will indicate whether the operating range will be based on the new performance test or the previously established range. If the Administrator has not denied approval of the new operating ranges within 30 days of submission of the performance test results, the new ranges shall be deemed approved and the new baseline value shall then be effective on the 31st day following submission.
- (2) The owner or operator of any new or existing affected source shall establish, and provide to the Administrator for approval, allowable ranges for the daily averages of the pressure drop across and of the flow rate of the scrubbing liquid to each scrubber in the process scrubbing system for the purpose of assuring compliance with Subpart AA. Allowable ranges may be based upon baseline average values recorded during previous performance tests using the test methods required in Permit Condition 15.13(4). As an alternative, the owner or operator can establish the allowable ranges using the results of performance tests conducted specifically for the purposes of this paragraph using the test methods required in Subpart AA and established in the manner required in Permit Condition 15.13(4). The source shall certify that the control devices and processes have not been modified subsequent to the testing upon which the data used to establish the allowable ranges were obtained. The allowable ranges developed pursuant to the

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*The permittee is hereby allowed to operate the equipment described herein subject to all terms and conditions of the permit.*

provisions of this paragraph must be submitted to the Administrator for approval. The owner or operator must request and obtain approval of the Administrator for changes to the allowable ranges. When a source using the methodology of this paragraph is retested, the owner or operator shall determine new allowable ranges of baseline average values unless the retest indicates no change in the operating parameters outside the previously established ranges. If the Administrator has not denied approval of the new operating ranges within 30 days of submission of the performance test results, the new ranges shall be deemed approved and the new baseline value shall then be effective on the 31st day following submission.

**[40 CFR 63.605(d)]**

- 15.11 The permittee shall conduct a weekly visible emissions inspection of the scrubber stack in accordance with Permit Condition 2.8.

**[IDAPA 58.01.01.06, 07, 5/1/94; IDAPA 58.01.01.322.08, 4/5/00]**

***Compliance Tests and Compliance Provisions***

- 15.12 On or before June 10, 2002, and once per annum thereafter, each owner or operator of a phosphoric acid manufacturing plant shall conduct a performance test to demonstrate compliance with total fluorides emission standard for each existing wet-process phosphoric acid process line. The owner or operator shall conduct the performance test according to the procedures in 40 CFR Part 63, Subpart A and Permit Conditions 15.12 and 15.13.

**[40 CFR 63.606(a)(1); Tier II Permit No. 077-00006, 12/3/99]**

- 15.12.1 In conducting performance tests, each owner or operator of an affected source shall use as reference methods and procedures the test methods in 40 CFR Part 60, Appendix A, or other methods and procedures as specified in Permit Condition 15.13, except as provided in 40 CFR 63.7(f).

**[Tier II Permit No. 077-00006, 12/3/99; 40 CFR 63.606(b)]**

- 15.13 Each owner or operator of a new or existing wet-process phosphoric acid process line or superphosphoric acid process line shall determine compliance with the applicable total fluorides standards in Permit Condition 15.1, as specified in (1) and (2).

- (1) The emission rate (E) of total fluorides shall be computed for each run using the following equation:

$$E = \left( \sum_{i=1}^N C_{si} Q_{sdi} \right) / (PK)$$

Where:

- E = emission rate of total fluorides, g/metric ton (lb/ton) of equivalent P<sub>2</sub>O<sub>5</sub> feed.  
C<sub>si</sub> = concentration of total fluorides from emission point "i," mg/dscm (mg/dscf).  
Q<sub>sdi</sub> = volumetric flow rate of effluent gas from emission point "i," dscm/hr (dscf/hr).  
N = number of emission points associated with the affected facility.  
P = equivalent P<sub>2</sub>O<sub>5</sub> feed rate, metric ton/hr (ton/hr).  
K = conversion factor, 1000 mg/g (453,600 mg/lb).

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- (2) Method 13A or 13B (40 CFR Part 60, Appendix A) shall be used to determine the total fluorides concentration ( $C_{si}$ ) and volumetric flow rate ( $Q_{sdi}$ ) of the effluent gas from each of the emission points. If Method 13B is used, the fusion of the filtered material described in Section 7.3.1.2 and the distillation of suitable aliquots of containers 1 and 2, described in Sections 7.3.3 and 7.3.4. in Method 13 A, may be omitted. The sampling time and sample volume for each run shall be at least 60 minutes and 0.85 dscm (30 dscf).
- (3) The equivalent  $P_2O_5$  feed rate (P) shall be computed using the following equation:

$$P = M_p R_p$$

Where:

$M_p$  = total mass flow rate of phosphorus-bearing feed, metric ton/hr (ton/hr).

$R_p$  =  $P_2O_5$  content, decimal fraction.

- (i) The accountability system described in Permit Conditions 15.7 and 15.8 shall be used to determine the mass flow rate ( $M_p$ ) of the phosphorus-bearing feed.
- (ii) The  $P_2O_5$  content ( $R_p$ ) of the feed shall be determined using as appropriate the following methods (incorporated by reference -- see 40 CFR 63.14) specified in the Book of Methods Used and Adopted By The Association Of Florida Phosphate Chemists, Seventh Edition 1991, where applicable:
- (A) Section IX, Methods of Analysis For Phosphate Rock, No. 1 Preparation of Sample.
  - (B) Section IX, Methods of Analysis For Phosphate Rock, No. 3 Phosphorus-  $P_2O_5$  or  $Ca_3(PO_4)_2$ , Method A-Volumetric Method.
  - (C) Section IX, Methods of Analysis For Phosphate Rock, No. 3 Phosphorus-  $P_2O_5$  or  $Ca_3(PO_4)_2$ , Method B-Gravimetric Quimociac Method.
  - (D) Section IX, Methods of Analysis For Phosphate Rock, No. 3 Phosphorus-  $P_2O_5$  or  $Ca_3(PO_4)_2$ , Method C-Spectrophotometric Method.
  - (E) Section XI, Methods of Analysis For Phosphoric Acid, Superphosphate, Triple Superphosphate, and Ammonium Phosphates, No. 3 Total Phosphorus-  $P_2O_5$ , Method A-Volumetric Method.
  - (F) Section XI, Methods of Analysis For Phosphoric Acid, Superphosphate, Triple Superphosphate, and Ammonium Phosphates, No. 3 Total Phosphorus-  $P_2O_5$ , Method B-Gravimetric Quimociac Method.
  - (G) Section XI, Methods of Analysis For Phosphoric Acid, Superphosphate, Triple Superphosphate, and Ammonium Phosphates, No. 3 Total Phosphorus-  $P_2O_5$ , Method C-Spectrophotometric Method.

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- (4) To comply with Permit Condition 15.10(1) or (2), the owner or operator shall use the monitoring systems in Permit Condition 15.9 to determine the average pressure loss of the gas stream across each scrubber in the process scrubbing system and to determine the average flow rate of the scrubber liquid to each scrubber in the process scrubbing system during each of the total fluoride runs. The arithmetic averages of the three runs shall be used as the baseline average values for the purposes of Permit Condition 15.10(1) or (2).

**[40 CFR 63.606(c)]**

15.14 Reserved.

- 15.15 On or before December 31, 2004, the permittee shall either conduct a compliance test to measure CO emissions from the SPA primary-control scrubber stack utilizing a pollutant-specific method promulgated by the EPA, a DEQ-approved alternative, or use DEQ's emission estimation methods used in the analysis of the "Extended Absorption Scrubber," PTC No. 077-00006, dated April 17, 1990, to demonstrate compliance with the CO limit in Permit Condition 15.3.

**[Tier II Permit No. 077-00006, App. A, 12/3/99]**

- 15.16 During a week that a compliance test required by Permit Conditions 15.12, and 15.15 is scheduled, the weekly visible emissions evaluation shall be executed during the compliance test. Results of the visible emissions evaluation shall be submitted with the compliance test report.

**[IDAPA 58.01.01.625, 4/5/00; Tier II Permit No. 077-00006, 12/3/99]**

**Notification, Recordkeeping, And Reporting Requirements**

- 15.17 Each owner or operator subject to the requirements of this 40 CFR 63, Subpart AA shall comply with the notification requirements in 40 CFR 63.9, as contained in Appendix A.

**[40 CFR 63.607(a)]**

- 15.18 Each owner or operator subject to the requirements of 40 CFR 63, Subpart AA shall comply with the record-keeping requirements in 40 CFR 63.10.

**[40 CFR 63.607(b)]**

- 15.19 The owner or operator of an affected source shall comply with the reporting requirements specified in 40 CFR 63.10 as follows:

- (1) Performance test report. As required by 40 CFR 63.10, the owner or operator shall report the results of the initial and annual performance tests as part of the notification of compliance status required in 40 CFR 63.9.
- (2) Excess emissions report. As required by 40 CFR 63.10, the owner or operator of an affected source shall submit an excess emissions report for any exceedance of an operating parameter limit. The report shall contain the information specified in 40 CFR 63.10. When no exceedances of an operating parameter have occurred, such information shall be included in the report. The report shall be submitted semiannually and shall be delivered or postmarked by the 30th day following the end of the calendar half. If exceedances are reported, the owner or operator shall report quarterly until a request to reduce reporting frequency is approved as described in 40 CFR 63.10.(3)



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- (3) Summary report. If the total duration of control system exceedances for the reporting period is less than 1% of the total operating time for the reporting period, the owner or operator shall submit a summary report containing the information specified in 40 CFR 63.10 rather than the full excess emissions report, unless required by the Administrator. The summary report shall be submitted semiannually and shall be delivered or postmarked by the 30th day following the end of the calendar half.
- (4) If the total duration of control system operating parameter exceedances for the reporting period is 1% or greater of the total operating time for the reporting period, the owner or operator shall submit a summary report and the excess emissions report.

[40 CFR 63.607(c)]

***Compliance Date***

- 15.20 The permittee shall achieve compliance with 40 CFR 63, Subpart AA no later than June 10, 2002.

[40 CFR 63.609(a)]

***Exemption From New Source Performance Standards***

- 15.21 Any affected source subject to the provisions of 40 CFR 63, Subpart AA is exempted from any otherwise applicable new source performance standard contained in 40 CFR 60, Subpart T, Subpart U, or Subpart NN. To be exempt, a source must have a current operating permit pursuant to Title V of the CAA and the source must be in compliance with the requirements of 40 CFR 63, Subpart AA. For each affected source, this exemption is effective the date the owner or operator demonstrates to the Administrator that the requirements of Permit Conditions 15.4, 15.7, 15.8, 15.9, 15.10, 15.12, and 15.13 have been met.

[40 CFR 63.610]

***Applicability of MACT General Provisions***

- 15.22 The owner or operator shall comply with the requirements of the general provisions in 40 CFR Part 63, Subpart A as shown in Appendix A to 40 CFR Part 63, Subpart AA.

[40 CFR 63.608]

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**16. EMISSIONS UNIT GROUP 14: SULFURIC ACID PLANT NO. 300****Summary Description**

The following is a narrative description of the sulfuric acid plant No. 300 processes regulated in this Tier I operating permit. This description is for informational purposes only.

The single-contact process in the sulfuric acid plant No. 300 begins when elemental sulfur is indirectly heated to liquefy the sulfur that is dumped into underground pits. The liquid sulfur is burned in a furnace to produce SO<sub>2</sub>. The SO<sub>2</sub> is oxidized to SO<sub>3</sub> in a converter. The SO<sub>3</sub> gas stream is passed through an absorber unit where it is absorbed in less concentrated sulfuric acid (approximately 93%) which allows absorption of the SO<sub>3</sub> to form more concentrated sulfuric acid. The exhaust from the absorbing tower is treated with a DynaWave reverse-jet scrubber followed by an Ammsox packed-bed ammonia scrubber.

Table 16.1 below describes the control devices used in controlling emissions from the sulfuric acid plant No. 300.

**Table 16.1 SUMMARY OF EMISSION UNIT, CONTROL DEVICE, AND EMISSIONS POINT**

Emissions Unit(s) / Process(es)	Emissions Control Device	Emissions Point
Sulfuric acid plant No. 300	DynaWave reverse-jet scrubber followed by Ammsox packed-bed ammonia scrubber	No. 300 sulfuric stack

Table 16.2 contains only a summary of the requirements that apply to the sulfuric acid plant No. 300. Specific permit requirements are listed below Table 16.2.

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**Table 16.2 SUMMARY OF PERMIT REQUIREMENTS**

Permit Conditions	Parameter	Permit Limit/Standard Summary	Applicable Requirements Reference	Monitoring and Record-keeping Requirements
16.1	SO <sub>2</sub>	170 lb/hr--three hour average, 750 T/yr; 4 lb/T of 100% H <sub>2</sub> SO <sub>4</sub> produced	40 CFR 60.82; PTC No. 077-00006	16.8, 16.9, 16.10, 16.11, 16.13, 16.14
16.2	H <sub>2</sub> SO <sub>4</sub> mist	3 lb/hour--24-hr average, 13 T/yr ; 0.15 lb/T of 100% H <sub>2</sub> SO <sub>4</sub> produced	40 CFR 60.83(1); PTC No. 077-00006	16.11, 16.13, 16.14
16.3	PM	Process weight rate	IDAPA 58.01.01.702	None
	PM <sub>10</sub>	A source test is required to determine the emission rate.	PTC No. 077-00006	16.8, 16.9, 16.11, 16.13, 16.14
16.4	NO <sub>x</sub>	64 T/yr	PTC No. 077-00006	16.8, 16.11, 16.13
16.5	NH <sub>3</sub>	2.5 lb/hr, 11 T/yr	PTC No. 077-00006	16.8, 16.9, 16.11, 16.13
16.6	Opacity	10% for more than six-minute average	40 CFR 60.83(2); PTC No. 077-00006	16.11, 16.12, 16.14
16.7	Visible emissions	20%, no fugitive emissions leaving property boundary	IDAPA 58.01.01.625; PTC No. 077-00006	16.12, 16.13, 16.14
16.8	100% H <sub>2</sub> SO <sub>4</sub> Throughput	1,750 T/day – rolling 24-hr average	PTC No. 077-00006	16.13
16.15	SO <sub>2</sub>	Monitoring ground-level ambient SO <sub>2</sub> concentrations	40 CFR 52.675(b)(7); Tier II Permit No. 077-00006	17.8

**Permit Limits / Standard Summary**

- 16.1 Emissions of SO<sub>2</sub> shall not exceed 170 lb/hr calculated as a three-hour rolling average and 750 tons per any consecutive 12-month period. Emissions of SO<sub>2</sub> shall not exceed 4 lb/T of 100% sulfuric acid produced.

[40 CFR 60.82; PTC No. 077-00006, 6/15/01]

- 16.2 Emissions of sulfuric acid mist (as total H<sub>2</sub>SO<sub>4</sub>) shall not exceed 3 lb/hr calculated as a 24-hour rolling average and shall not exceed 13 tons per any consecutive 12-month period. Emissions of acid mist shall not exceed 0.15 lb/T of sulfuric acid produced, expressed as 100% H<sub>2</sub>SO<sub>4</sub>.

[40 CFR 60.83(1); PTC No. 077-00006, 6/15/01]

**16.3 Particulate Matter**

- 16.3.1 A source test will be required to determine the emission rate for PM<sub>10</sub>. This test was conducted and documented in a report dated 12/9/02.

[PTC No. 077-00006, 6/15/01]

- 16.3.2 No person shall emit PM to the atmosphere from any process or process equipment commencing operation on or after October 1, 1979, in excess of the amount shown by the following equations,

Where

E is the allowable emission from the entire source in lb/hr, and PW is the process weight in lb/hr.

- a. If PW is less than 9,250 lb/hr,

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$$E = 0.045(PW)^{0.60}$$

- b. If PW is equal to or greater than 9,250 lb/hr,

$$E = 1.10(PW)^{0.25}$$

[IDAPA 58.01.01.701, 4/5/00]

- 16.4 Emissions of NO<sub>x</sub> shall not exceed 64 tons per any consecutive 12-month period.

[PTC No. 077-00006, 6/15/01]

- 16.5 Emissions of NH<sub>3</sub> shall not exceed 2.5 lb/hr and 11 tons per any consecutive 12-month period.

[PTC No. 077-00006, 6/15/01]

- 16.6 Emissions from the No. 300 sulfuric acid plant stack shall not exceed 10% opacity as determined by following EPA Reference Method 9. The opacity standards set forth here shall apply at all times except during periods of startup, shutdown, and malfunction. For purposes of initial compliance, the minimum total time of observations shall be three hours (a total of 30 six-minute averages) using EPA Reference Method 9.

[40 CFR 60.83(2); 40 CFR 60.11(c); PTC No. 077-00006, 6/15/01]

**16.7 Visible Emission Limits**

- 16.7.1 Emissions from the No. 300 sulfuric acid plant stack, or any other stack, vent, or functionally equivalent opening associated with the No. 300 sulfuric acid plant, shall not exceed 20% opacity for a period or periods aggregating more than three minutes in any 60-minute period as required by IDAPA 58.01.01.625.

[PTC No. 077-00006, 6/15/01]

- 16.7.2 Visible fugitive emissions shall not be observed leaving the property boundary for a period or periods aggregating no more than three minutes in any 60-minute period. Visible emissions from fugitive sources shall be determined by EPA Reference Method 22 as described in 40 CFR 60, Appendix A, or by a DEQ-approved alternative method.

[PTC No. 077-00006, 6/15/01]

***Operating Requirements***

- 16.8 The maximum production rate of the sulfuric acid plant No. 300 shall not exceed 1,750 tons of 100% sulfuric acid per day calculated as a rolling 24-hour average.

[PTC No. 077-00006, 6/15/01]

- 16.9 The two-stage scrubber system shall be used to control pollution from the sulfuric acid plant No. 300 process at all times the plant is operating. The two stages shall include the packed-bed scrubber and the DynaWave reverse-jet scrubber operated in series. Within 60 days following startup, J.R. Simplot will develop an O&M manual for the two-stage scrubber. The O&M manual shall be kept on site at all times and shall be made available to DEQ representatives upon request.

At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility, including associated air pollution

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control equipment, in a manner consistent with good air pollution control practice for minimizing emissions in accordance with 40 CFR 60.11(d), as contained in Appendix B.

**[40 CFR 60.11(d); PTC No. 077-00006, 6/15/01]**

**Monitoring And Record-keeping Requirements**

- 16.10 (a) A continuous monitoring system for the measurement of sulfur dioxide shall be installed, calibrated, maintained, and operated by the owner or operator. The pollutant gas used to prepare calibration gas mixtures under Performance Specification 2 and for calibration checks under 40 CFR 60.13(d), shall be sulfur dioxide. Method 8 shall be used for conducting monitoring system performance evaluations under 40 CFR 60.13(c) except that only the sulfur dioxide portion of the Method 8 results shall be used. The span value shall be set at 1000 ppm of sulfur dioxide.
- (b) The owner or operator shall establish a conversion factor for the purpose of converting monitoring data into units of the applicable standard (kg/metric ton, lb/ton). The conversion factor shall be determined, as a minimum, three times daily by measuring the concentration of sulfur dioxide entering the converter using suitable methods (e.g., the Reich test, National Air Pollution Control Administration Publication No. 999-AP-13) and calculating the appropriate conversion factor for each eight-hour period as follows:

$$CF = k[(1.000 - 0.015r) / (r - s)]$$

Where:

CF = conversion factor (kg/metric ton per ppm, lb/ton per ppm).

k = constant derived from material balance. For determining CF in metric units, k = 0.0653. For determining CF in English units, k = 0.1306.

r = percentage of sulfur dioxide by volume entering the gas converter. Appropriate corrections must be made for air injection plants subject to the Administrator's approval.

s = percentage of sulfur dioxide by volume in the emissions to the atmosphere determined by the continuous monitoring system required under paragraph (a) of this section.

- (c) The owner or operator shall record all conversion factors and values under paragraph (b) of this section from which they were computed (i.e., CF, r, and s).
- (d) Alternatively, a source that processes elemental sulfur or an ore that contains elemental sulfur and uses air to supply oxygen may use the following continuous emission monitoring approach and calculation procedures in determining SO<sub>2</sub> emission rates in terms of the standard. This procedure is not required, but is an alternative that would alleviate problems encountered in the measurement of gas velocities or production rate. Continuous emission monitoring systems for measuring SO<sub>2</sub>, O<sub>2</sub>, and CO<sub>2</sub> (if required) shall be installed, calibrated, maintained, and operated by the owner or operator and subjected to the certification procedures in Performance Specifications 2 and 3. The calibration procedure and span value for the SO<sub>2</sub> monitor shall be as specified in paragraph (b) of this section. The span value for CO<sub>2</sub> (if required) shall be 10% and for O<sub>2</sub> shall be 20.9% (air). A conversion factor based on process rate data is not necessary.

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Calculate the SO<sub>2</sub> emission rate as follows:

$$E_s = (C_s S) / [0.265 - (0.126 \% O_2) - (A \% CO_2)]$$

Where:

E<sub>s</sub> = emission rate of SO<sub>2</sub>, kg/metric ton (lb/ton) of 100% of H<sub>2</sub>SO<sub>4</sub> produced.

C<sub>s</sub> = concentration of SO<sub>2</sub>, kg/dscm (lb/dscf).

S = acid production rate factor, 368 dscm/metric ton (11,800 dscf/ton) of 100% H<sub>2</sub>SO<sub>4</sub> produced.

% O<sub>2</sub> = oxygen concentration, percent dry basis.

A = auxiliary fuel factor.

= 0.00 for no fuel.

= 0.0226 for methane.

= 0.0217 for natural gas.

= 0.0196 for propane.

= 0.0172 for No 2 oil.

= 0.0161 for No 6 oil.

= 0.0148 for coal.

= 0.0126 for coke.

% CO<sub>2</sub> = carbon dioxide concentration, percent dry basis.

Note: It is necessary in some cases to convert measured concentration units to other units for these calculations:

Use the following table for such conversions:

From	To	Multiply by
g/scm	kg/scm	]
mg/scm	kg/scm	]-6]
ppm (SO <sub>2</sub> )	kg/scm	)]-6]
ppm (SO <sub>2</sub> )	lb/scf	)]-7]

- (e) For the purpose of reports under 40 CFR 60.7(c), periods of excess emissions shall be all three-hour periods (or the arithmetic average of three consecutive one-hour periods) during which the integrated average sulfur dioxide emissions exceed the applicable standards in Permit Condition 16.1.

**[40 CFR 60.84]**

- 16.11 The permittee shall conduct performance tests to demonstrate that the pollution control equipment is capable of achieving pollutant-specific emission limits. The initial performance test, and any subsequent compliance tests conducted to demonstrate compliance, shall be performed in accordance with IDAPA 58.01.01.157, General Provision F of PTC No. 077-00006, dated 6/15/01, and the requirements outlined in the following subsections. The annual compliance tests shall be conducted within 13 months after the previous initial performance or compliance test. General Provision F of PTC No. 077-00006 reads as follows:

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"If emission testing is specified, the permittee must schedule such testing within 60 days after achieving the maximum production rate, but not later than 180 days after initial startup. Such testing must **strictly** adhere to the procedures outlined in IDAPA 58.01.01.157 and shall not be conducted on weekends or state holidays without prior written DEQ approval. Testing procedures and specific time limitations may be modified by DEQ by prior negotiation if conditions warrant adjustment. DEQ shall be notified at least 15 days prior to the scheduled compliance test. Any records or data generated as a result of such compliance test shall be made available to DEQ upon request."

The maximum allowable operating rate shall be limited to 120% of the average operating rate attained during any performance test period, for which a test protocol has been granted prior approval by DEQ, unless (1) the test demonstrates noncompliance, (2) a more restrictive operating limit is specified elsewhere in this permit, or (3) at such an operating rate, emissions would exceed any emission limit(s) set forth in this permit."

[PTC No. 077-00006, 6/15/01]

**16.11.1 Sulfur Dioxide and Sulfuric Acid Mist**

Method 8 (or an alternative method approved by both DEQ and EPA in accordance with IDAPA 58.01.01.157) shall be used to determine the concentration of SO<sub>2</sub>. The performance tests shall also include a performance evaluation of the CEMS. Method 8 (or an alternative method approved by both DEQ and EPA in accordance with IDAPA 58.01.01.157) shall be used to determine the concentration of H<sub>2</sub>SO<sub>4</sub>.

In conducting the performance tests required in 40 CFR 60.8, the owner or operator shall use as reference methods and procedures the test methods in Appendix A of 40 CFR 60 or other methods and procedures as specified in this section, except as provided in 40 CFR 60.8(b). Acceptable alternative methods and procedures are given in paragraph (c) of this section.

- (b) The owner or operator shall determine compliance with the SO<sub>2</sub>, acid mist, and visible emission standards in Permit Conditions 16.1, 16.2, and 16.6 as follows:
- (1) The emission rate (E) of acid mist or SO<sub>2</sub>, shall be computed for each run using the following equation:

$$E = (CQ_{sd}) / (PK)$$

Where:

- E = emission rate of acid mist or SO<sub>2</sub> kg/metric ton (lb/ton) of 100% H<sub>2</sub>SO<sub>4</sub> produced.  
C = concentration of acid mist or SO<sub>2</sub>, g/dscm (lb/dscf).  
Q<sub>sd</sub> = volumetric flow rate of the effluent gas, dscm/hr (dscf/hr).  
P = production rate of 100% H<sub>2</sub>SO<sub>4</sub>, metric ton/hr (ton/hr).  
K = conversion factor, 1000 g/kg (1.0 lb/lb).

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- (2) Method 8 shall be used to determine the acid mist and SO<sub>2</sub> concentrations (C's) and the volumetric flow rate (Q<sub>sd</sub>) of the effluent gas. The moisture content may be considered to be zero. The sampling time and sample volume for each run shall be at least 60 minutes and 1.15 dscm (40.6 dscf).
- (3) Suitable methods shall be used to determine the production rate (P) of 100% H<sub>2</sub>SO<sub>4</sub> for each run. Material balance over the production system shall be used to confirm the production rate.
- (4) Method 9 and the procedures in 40 CFR 60.11 shall be used to determine opacity.

(c) The owner or operator may use the following as alternatives to the reference methods and procedures specified in this section:

- (1) If a source processes elemental sulfur or an ore that contains elemental sulfur and uses air to supply oxygen, the following procedure may be used instead of determining the volumetric flow rate and production rate:
  - (i) The integrated technique of Method 3 is used to determine the O<sub>2</sub> concentration and, if required, CO<sub>2</sub> concentration.
  - (ii) The SO<sub>2</sub> or acid mist emission rate is calculated as described in Permit Condition 16.10(d), substituting the acid mist concentration for C's as appropriate.

**[40 CFR 60.8 and 60.85; PTC No. 077-00006, 6/15/01]**

16.11.2 The performance test for NO<sub>x</sub> shall be conducted in accordance with IDAPA 58.01.01.157. The test shall use the reference methods and procedures described in 40 CFR 60, Appendix A. Method 7 (or an alternative method approved by DEQ in accordance with IDAPA 58.01.01.157) shall be used to determine the concentration of NO<sub>x</sub>.

**[PTC No. 077-00006, 6/15/01]**

16.11.3 A performance test shall be conducted to evaluate total PM<sub>10</sub> from the sulfuric acid plant No. 300 and to establish an emissions factor for setting an emissions limit. The test shall use the reference methods and procedures described in 40 CFR 51, Appendix M. Method 201A and Method 202 (or alternative methods approved by DEQ in accordance with IDAPA 58.01.01.157) shall be used to determine the concentration of PM<sub>10</sub>.

**[PTC No. 077-00006, 6/15/01]**

16.11.4 The performance test for NH<sub>3</sub> shall be conducted in accordance with IDAPA 58.01.01.157.

**[PTC No. 077-00006, 6/15/01]**

16.11.5 Visible emissions shall be observed during each performance test run using the methods specified in EPA Reference Method 9 and IDAPA 58.01.01.625.

**[40 CFR 60.8 and 60.85; PTC No. 077-00006, 6/15/01]**

16.11.6 The production rate in pounds per hour and tons per day and the operating parameters shall be recorded during each performance test.

**[PTC No. 077-00006, 6/15/01]**



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- 16.12 Opacity shall be determined using the Method 9 procedures contained in IDAPA 58.01.01.625. The permittee shall monitor the visible emissions monthly and keep a record of the observations, complete with conditions of time of observation. A compilation of the most recent five years of records shall be kept on site and shall be made available to DEQ representatives upon request.

**[IDAPA 58.01.01.322.07, 5/1/94; PTC No. 077-00006, 6/15/01]**

- 16.13 The permittee shall monitor and record the production rate of the sulfuric acid plant No. 300 in tons per hour, tons per rolling 24-hour period, and tons per any consecutive 12-month period. The permittee shall monitor and record any deviations of scrubber operations from the standard operating procedures recorded in the O&M manual.

**[PTC No. 077-00006, 6/15/01]**

### ***Reporting Requirements***

- 16.14. The permittee shall submit reports of the results of the performance tests required in Permit Condition 16.11, including all required process data, to DEQ within 30 days after the date on which the performance tests are concluded.

**[PTC No. 077-00006, 6/15/01]**

- 16.15 The permittee shall comply with Permit Condition 17.8 for monitoring ground-level ambient SO<sub>2</sub> concentrations.

**[40 CFR 52.675(b)(7); Tier II Permit No. 077-00006,12/3/99]**

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**17. EMISSIONS UNIT GROUP 15: SULFURIC ACID PLANT NO. 400****Summary Description**

The following is a narrative description of the sulfuric acid plant No. 400 processes regulated in this Tier I operating permit. This description is for informational purposes only.

The sulfuric acid plant No. 400 process begins when elemental sulfur is indirectly heated to liquefy the sulfur that is dumped into underground pits. The liquid sulfur is burned in a furnace to produce SO<sub>2</sub>. The SO<sub>2</sub> is oxidized to SO<sub>3</sub> in a converter. The SO<sub>3</sub> gas stream is passed through two absorber unit where it is absorbed in less concentrated sulfuric acid (approximately 98.5%) which allows absorption of the SO<sub>3</sub> to form more concentrated sulfuric acid. The sulfuric acid plant No. 400 utilizes a “double-contact process” which passes the SO<sub>2</sub> gas stream through a final pass in the converter to oxidize to SO<sub>3</sub>. The product sulfuric acid from the processes is transferred by pipe to the product storage tanks.

Table 17.1 below describes the emission unit, emission point, and the control devices used in controlling emissions from the sulfuric acid plant No. 400 sources.

**Table 17.1 SUMMARY OF EMISSIONS UNIT, CONTROL DEVICE, AND EMISSIONS POINT**

Emissions Unit(s) / Process(es)	Emissions Control Device	Emissions Point
Sulfuric acid plant No. 400 with Double-contact SO <sub>2</sub> removal	mist-eliminator	No. 400 sulfuric stack

Table 17.2 contains only a summary of the requirements that apply to the sulfuric acid plant No. 400. Specific permit requirements are listed below Table 17.2.

**Table 17.2 SUMMARY OF PERMIT LIMITS**

Permit Conditions	Parameter	Permit Limit / Standard Summary	Applicable Requirements Reference	Monitoring and Record-keeping Requirements
17.1	SO <sub>2</sub>	999 lb/3-hr period, 1,458 T/yr	Tier II Permit No. 077-00006	17.5 to 17.17
		4 lb/T of 100% H <sub>2</sub> SO <sub>4</sub> produced	40 CFR 60, Subpart H	
17.2	H <sub>2</sub> SO <sub>4</sub> mist	12.5 lb/hr, 54.8 T/yr	Tier II Permit No. 077-00006	17.5, 17.6, 17.10, 17.11
		0.15 lb/T of 100% H <sub>2</sub> SO <sub>4</sub> produced	40 CFR 60, Subpart H	
17.3	Opacity	10% for more than six-minute average	40 CFR 60, Subpart H	17.3, 17.6, 17.9 to 17.17
17.4	PM	Process weight rate	IDAPA 58.01.01.701	None

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**Permit Limits / Standard Summary**

- 17.1 The SO<sub>2</sub> emissions shall not exceed 4 lb/T of 100% sulfuric acid produced and 999 pounds per each running 3-hour period (whichever is more restrictive). In addition, SO<sub>2</sub> emissions shall not exceed 1,458 T/yr. The ton-per-year emission rate shall be determined by multiplying the actual, or allowable (if actual is not available), pound-per-hour emissions by the actual hours per year the process(es) venting to this stack operate(s).  
**[40 CFR 60.82(a); Tier II Permit No. 077-00006, 12/3/99]**
- 17.2 Sulfuric acid mist emissions shall not exceed 0.15 lb/T of 100% sulfuric acid produced and 12.5 lb/hr (whichever is more restrictive). Sulfuric acid mist emissions shall also not exceed 54.8 T/yr. The ton-per-year emission rate shall be determined by multiplying the actual, or allowable (if actual is not available), pound-per-hour emissions by the actual hours per year the process(es) venting to this stack operate(s).  
**[40 CFR 60.83(a)(1); Tier II Permit No. 077-00006, 12/3/99]**
- 17.3 Visible emissions shall not exhibit 10% opacity, or greater, as determined using the U.S. EPA Reference Method 9 and procedures in 40 CFR 60.11. The opacity standards set forth here shall apply at all times except during periods of startup, shutdown, and malfunction.  
**[40 CFR 60.83(a)(2), 40 CFR 60.85(b)(4), 40 CFR 60.11(c); Tier II Permit No. 077-00006, 12/3/99]**
- 17.4 No person shall emit PM to the atmosphere from any process or process equipment commencing operation on or after October 1, 1979, in excess of the amount shown by the following equations, where E is the allowable emission from the entire source in lb/hr, and PW is the process weight in lb/hr.
- a. If PW is less than 9,250 lb/hr,  
$$E = 0.045(PW)^{0.60}$$
- b. If PW is equal to or greater than 9,250 lb/hr,  
$$E = 1.10(PW)^{0.25}$$
- [IDAPA 58.01.01.701, 4/5/00]**

**Operating Requirements**

- 17.5 The production rate of sulfuric acid plant No. 400 processes shall be determined during the tests required in Permit Condition 17.10. The maximum production during the following year shall not exceed 105% of the rate achieved during the tests unless Permit Conditions 17.5.1 through 17.5.5 are met.  
**[Tier II Permit No. 077-00006, 12/3/99]**

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- 17.5.1 The SO<sub>2</sub> monitor is calibrated at least once every 24 hours using certified test gases, one of which has an SO<sub>2</sub> concentration equal to or less than the expected stack gas SO<sub>2</sub> concentration, and one of which has an SO<sub>2</sub> concentration greater than the expected stack gas SO<sub>2</sub> concentration.  
[Tier II Permit No. 077-00006, 12/3/99]
- 17.5.2 The calibrated SO<sub>2</sub> monitor is cross-checked and agrees with the initial compliance test, which demonstrates SO<sub>2</sub> emission limit compliance.  
[Tier II Permit No. 077-00006, 12/3/99]
- 17.5.3 Prior written approval by DEQ is received.  
[Tier II Permit No. 077-00006, 12/3/99]
- 17.5.4 An emission test is performed at the requested increased emission rate, and the test demonstrates that the continuous emission monitor is accurate at the increased rate.  
[Tier II Permit No. 077-00006, 12/3/99]
- 17.5.5 The SO<sub>2</sub> and acid mist emission limits will not be violated at the requested increased emission rates.  
[Tier II Permit No. 077-00006, 12/3/99]
- 17.6 At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility, including associated air pollution control equipment, in a manner consistent with good air pollution control practice for minimizing emissions in accordance with 40 CFR 60.11(d).  
[40 CFR 60.11(d)]

### ***Monitoring Requirements***

17.7 Continuous Emissions Monitoring

- (a) A continuous monitoring system for the measurement of sulfur dioxide shall be installed, calibrated, maintained, and operated by the owner or operator. The pollutant gas used to prepare calibration gas mixtures under Performance Specification 2 and for calibration checks under 40 CFR 60.13(d), shall be sulfur dioxide. Method 8 shall be used for conducting monitoring system performance evaluations under 40 CFR 60.13(c) except that only the sulfur dioxide portion of the Method 8 results shall be used. The span value shall be set at 1000 ppm of sulfur dioxide.
- (b) The owner or operator shall establish a conversion factor for the purpose of converting monitoring data into units of the applicable standard (kg/metric ton, lb/ton). The conversion factor shall be determined, as a minimum, three times daily by measuring the concentration of sulfur dioxide entering the converter using suitable methods (e.g., the Reich test, National Air Pollution Control Administration Publication No. 999-AP-13) and calculating the appropriate conversion factor for each eight-hour period as follows:

$$CF = k[(1.000 - 0.015r) / (r - s)]$$

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Where:

- CF = conversion factor (kg/metric ton per ppm, lb/ton per ppm).  
k = constant derived from material balance. For determining CF in metric units,  $k = 0.0653$ .  
For determining CF in English units,  $k = 0.1306$ .  
r = percentage of sulfur dioxide by volume entering the gas converter. Appropriate corrections must be made for air injection plants subject to the Administrator's approval.  
s = percentage of sulfur dioxide by volume in the emissions to the atmosphere determined by the continuous monitoring system required under paragraph (a) of this section.

- (c) The owner or operator shall record all conversion factors and values under paragraph (b) of this section from which they were computed (i.e., CF, r, and s).
- (d) Alternatively, a source that processes elemental sulfur or an ore that contains elemental sulfur and uses air to supply oxygen may use the following continuous emission monitoring approach and calculation procedures in determining SO<sub>2</sub> emission rates in terms of the standard. This procedure is not required, but is an alternative that would alleviate problems encountered in the measurement of gas velocities or production rate. Continuous emission monitoring systems for measuring SO<sub>2</sub>, O<sub>2</sub>, and CO<sub>2</sub> (if required) shall be installed, calibrated, maintained, and operated by the owner or operator and subjected to the certification procedures in Performance Specifications 2 and 3. The calibration procedure and span value for the SO<sub>2</sub> monitor shall be as specified in paragraph (b) of this section. The span value for CO<sub>2</sub> (if required) shall be 10% and for O<sub>2</sub> shall be 20.9% (air). A conversion factor based on process rate data is not necessary. Calculate the SO<sub>2</sub> emission rate as follows:

$$E_s = (C_s S) / [0.265 - (0.126 \%O_2) - (A \%CO_2)]$$

Where:

- E<sub>2</sub> = emission rate of SO<sub>2</sub>, kg/metric ton (lb/ton) of 100% of H<sub>2</sub>SO<sub>4</sub> produced.  
C<sub>s</sub> = concentration of SO<sub>2</sub>, kg/dscm (lb/dscf).  
S = acid production rate factor, 368 dscm/metric ton (11,800 dscf/ton) of 100% H<sub>2</sub>SO<sub>4</sub> produced.  
%O<sub>2</sub> = oxygen concentration, percent dry basis.  
A = auxiliary fuel factor.  
= 0.00 for no fuel.  
= 0.0226 for methane.  
= 0.0217 for natural gas.  
= 0.0196 for propane.  
= 0.0172 for No 2 oil.  
= 0.0161 for No 6 oil.  
= 0.0148 for coal.  
= 0.0126 for coke.  
%CO<sub>2</sub> = carbon dioxide concentration, percent dry basis.

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077-00006

**Date Expires:** December 24, 2007

*The permittee is hereby allowed to operate the equipment described herein subject to all terms and conditions of the permit.*

Note: It is necessary in some cases to convert measured concentration units to other units for these calculations:

Use the following table for such conversions:

From	To	Multiply By
g/scm	kg/scm	$10^{-3}$
mg/scm	kg/scm	$10^{-6}$
ppm (SO <sub>2</sub> )	kg/scm	$2.660 \times 10^{-6}$
ppm (SO <sub>2</sub> )	lb/scf	$1.660 \times 10^{-7}$

[40 CFR 60.84(a), (b), (c), and (d); Tier II Permit No. 077-00006, 12/3/99]

**17.8 Monitoring Ground Level Ambient SO<sub>2</sub> Concentrations**

- 17.8.1 The permittee shall, by September 30, 1976, install, calibrate, maintain and operate a network for continuously monitoring ground-level ambient SO<sub>2</sub> concentrations along with wind speed and direction in accordance with 40 CFR 52.675(b)(7).

[40 CFR 52.675(b)(7); Tier II Permit No. 077-00006, 12/3/99]

- 17.8.2 The permittee shall operate the SO<sub>2</sub> monitors in their present locations, as specified in 40 CFR 50 and 40 CFR 58. For specific methods and quality control, follow EPA's "Quality Assurance Handbook for Air Pollution Measurement Systems".

[Tier II Permit No. 077-00006, 12/3/99]

- 17.8.3 Annual audits of the monitor's performance will be conducted by DEQ or other auditors approved by DEQ. Audit results will be sent in writing to DEQ within 45 days after the audit and will be performed in accordance with 40 CFR 58.

- 17.9 Opacity shall be determined using the Method 9 procedures contained in IDAPA 58.01.01.625. On a monthly basis, the permittee shall monitor and record the visible emissions observations complete with conditions at the time of observation. The records shall be kept at the facility for the most recent five-year period and shall be made available to DEQ representatives upon request.

[IDAPA 58.01.01.322.07, 5/1/94; PTC No. 077-00006, 6/15/01]

***Performance Tests and Compliance Procedures***

- 17.10 Annual SO<sub>2</sub> and H<sub>2</sub>SO<sub>4</sub> mist emissions tests shall be performed. All emission tests shall be performed at the process equipment's maximum operating rate.

[Tier II Permit No. 077-00006, 12/3/99]

- 17.11 (a) In conducting the performance tests, the owner or operator shall use as reference methods and procedures the test methods in Appendix A of 40 CFR 60 or other methods and procedures as specified in this section, except as provided in 40 CFR 60.8(b). Acceptable alternative methods and procedures are given in paragraph (c) of this section.
- (b) The owner or operator shall determine compliance with the SO<sub>2</sub>, acid mist, and visible emission standards in Permit Conditions 17.1, 17.2, and 17.3 as follows:

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- (1) The emission rate (E) of acid mist or SO<sub>2</sub>, shall be computed for each run using the following equation:

$$E = (CQ_{sd}) / (PK)$$

Where:

- E = emission rate of acid mist or SO<sub>2</sub> kg/metric ton (lb/ton) of 100% H<sub>2</sub>SO<sub>4</sub> produced.  
C = concentration of acid mist or SO<sub>2</sub>, g/dscm (lb/dscf).  
Q<sub>sd</sub> = volumetric flow rate of the effluent gas, dscm/hr (dscf/hr).  
P = production rate of 100% H<sub>2</sub>SO<sub>4</sub>, metric ton/hr (ton/hr).  
K = conversion factor, 1000 g/kg (1.0 lb/lb).
- (2) Method 8 shall be used to determine the acid mist and SO<sub>2</sub> concentrations (C's) and the volumetric flow rate (Q<sub>sd</sub>) of the effluent gas. The moisture content may be considered to be zero. The sampling time and sample volume for each run shall be at least 60 minutes and 1.15 dscm (40.6 dscf).
- (3) Suitable methods shall be used to determine the production rate (P) of 100% H<sub>2</sub>SO<sub>4</sub> for each run. Material balance over the production system shall be used to confirm the production rate.
- (4) Method 9 and the procedures in 40 CFR 60.11 shall be used to determine opacity.
- (c) The owner or operator may use the following as alternatives to the reference methods and procedures specified in this section:
- (1) If a source processes elemental sulfur or an ore that contains elemental sulfur and uses air to supply oxygen, the following procedure may be used instead of determining the volumetric flow rate and production rate:
- (i) The integrated technique of Method 3 is used to determine the O<sub>2</sub> concentration and, if required, CO<sub>2</sub> concentration.
- (ii) The SO<sub>2</sub> or acid mist emission rate is calculated as described in Permit Condition 17.7, substituting the acid mist concentration for C's as appropriate.

**[IDAPA 58.01.01.322.06, 5/1/94; Tier II Permit No. 077-00006, 12/3/99]**

### **Reporting Requirements**

- 17.12 For the purpose of reports required under 40 CFR 60.7(c), periods of excess emissions shall be defined as all three-hour periods (or the arithmetic average of three consecutive one-hour periods) during which the integrated average SO<sub>2</sub> emissions exceed the applicable standards in Permit Condition 17.1.
- [40 CFR 60.84(e)]**

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*The permittee is hereby allowed to operate the equipment described herein subject to all terms and conditions of the permit.*

- 17.13 The result of all emission tests, visible emission data, and cylinder gas audits on the CEMS shall be reported to DEQ in the quarterly report. The quarterly report shall be received by DEQ no later than 30 days after each calendar quarter. The CEMS data and the production rates determined during the tests shall be reported to DEQ with the emission test data.

**[Tier II Permit No. 077-00006, 12/3/99]**

- 17.14 All three-hour block average SO<sub>2</sub> emissions shall be reported in a quarterly report. The quarterly report shall be received by DEQ no later than 30 days after each calendar quarter.

**[Tier II Permit No. 077-00006, 12/3/99]**

- 17.15 All repairs or changes to the SO<sub>2</sub> CEMS, and any calibration problems, shall be reported within seven days and in the quarterly report.

**[Tier II Permit No. 077-00006, 12/3/99]**

- 17.16 The permittee shall maintain records for five years of all ambient air pollution and meteorological monitoring data collected in the facility's vicinity.

**[Tier II Permit No. 077-00006, 12/3/99]**

- 17.17 As specified in the Consent Order issued by DEQ on August 9, 2001, the standard operating procedure for the sulfuric acid plant No. 400 shall be kept on site and shall be made available to DEQ representatives upon request.

**[Consent Order, 8/9/01; IDAPA 58.01.01.322.01, 3/19/99]**



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**18. COMPLIANCE SCHEDULE**

The J. R. Simplot Co. - Don Siding Plant shall implement the following compliance schedule to assure compliance with the applicable requirements in the *Rules for the Control of Air Pollution in Idaho*, IDAPA 58.01.01.01, et seq. The specific elements of the compliance schedule are summarized in Table 18.1 and specified in Permit Conditions 18.2 through 18.9.

**Table 18.1. COMPLIANCE SCHEDULE**

Permit Conditions	Milestone	Deadline	Documentation / Reporting
18.3	Supply all necessary information as required by DEQ to complete the Simplot SO <sub>2</sub> SIP	Within 30 days of a request in writing by DEQ	Letter from DEQ

**18.1 DEQ identified the compliance issues:**

- Ambient air quality standards for fluorides (IDAPA 58.01.01.577.06)
- Ambient monitoring of SO<sub>2</sub>

18.2 Reserved.

18.3 JR Simplot Co. must submit any additional information as required by DEQ, within 30 days of receiving written notification from DEQ, in order to complete the Simplot SO<sub>2</sub> SIP.

18.4 Reserved.

18.5 The submittal deadlines set forth in the compliance scheduled may be extended if the permittee clearly demonstrates that additional time is needed to collect new data for submittal of a complete application. Extension requests, with complete information to justify the request, must be submitted in writing to DEQ no later than the midpoint of the milestone timeline. The deadlines may be extended for up to one year through written authorization from DEQ.

**[IDAPA 58.01.01.322.10, 4/5/00]**

18.6 Reserved.

18.7 Reserved.

18.8 Reserved.

18.9 This schedule of compliance shall be supplemental to, and shall not sanction noncompliance with, the applicable requirements on which it is based.

**[IDAPA 58.01.01.322.10, 4/5/00]**

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## **19. TIER I OPERATING PERMIT GENERAL PROVISIONS**

### ***General Compliance***

1. The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation and is grounds for enforcement action; for permit termination, revocation and reissuance, or revision; or for denial of a permit renewal application.  
**[IDAPA 58.01.01.322.15.a, 5/1/94; 40 CFR 70.6(a)(6)(i)]**
2. It shall not be a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the terms and conditions of this permit.  
**[IDAPA 58.01.01.322.15.b, 5/1/94; 40 CFR 70.6(a)(6)(ii)]**
3. Any permittee who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information.  
**[IDAPA 58.01.01.315.01, 5/1/94; 40 CFR 70.5(b)]**

### ***Reopening***

4. This permit may be revised, reopened, revoked and reissued, or terminated for cause. Cause for reopening exists under any of the circumstances listed in IDAPA 58.01.01.386. Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable in accordance with IDAPA 58.01.01.360 through 369.  
**[IDAPA 58.01.01.322.15.c, 5/1/94; IDAPA 58.01.01.386, 3/19/99; 40 CFR 70.7(f)(1) and (2); 40 CFR 70.6(a)(6)(iii)]**
5. The filing of a request by the permittee for a permit revision, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.  
**[IDAPA 58.01.01.322.15.d, 5/1/94; 40 CFR 70.6(a)(6)(iii)]**

### ***Property Rights***

6. This permit does not convey any property rights of any sort, or any exclusive privilege.  
**[IDAPA 58.01.01.322.15.e, 5/1/94; 40 CFR 70.6(a)(6)(iv)]**

### ***Information Requests***

7. The permittee shall furnish all information requested by DEQ, within a reasonable time, that DEQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit.  
**[Idaho Code §39-108; IDAPA 58.01.01.122, 5/1/94; IDAPA 58.01.01.322.15.f, 4/5/00; 40 CFR 70.6(a)(6)(v)]**

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*The permittee is hereby allowed to operate the equipment described herein subject to all terms and conditions of the permit.*

8. Upon request, the permittee shall furnish to DEQ copies of records required to be kept by this permit. For information claimed to be confidential, the permittee may furnish such records along with a claim of confidentiality in accordance with Idaho Code §39-342A and applicable implementing regulations including IDAPA 58.01.01.128.

**[IDAPA 58.01.01.322.15.g, 5/1/94; IDAPA 58.01.01.128, 4/5/00; 40 CFR 70.6(a)(6)(v)]**

***Severability***

9. The provisions of this permit are severable, and if any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

**[IDAPA 58.01.01.322.15.h, 5/1/94; 40 CFR 70.6(a)(5)]**

***Changes Requiring Permit Revision or Notice***

10. The permittee may not commence construction or modification of any stationary source, facility, major facility, or major modification without first obtaining all necessary permits to construct or an approval under IDAPA 58.01.01.213, or complying with IDAPA 58.01.01.220 through 223. The permittee shall comply with IDAPA 58.01.01.380 through 386 as applicable.

**[IDAPA 58.01.01.200-223, 4/5/00; IDAPA 58.01.01.322.15.i, 380-386, 3/19/99; 40 CFR 70.4(b)(12), (14) and (15), and 70.7(d) and (e)]**

11. Changes that are not addressed or prohibited by the Tier I operating permit require a Tier I operating permit revision if such changes are subject to any requirement under Title IV of the CAA, 42 USC Section 7651 through 7651c, or are modifications under Title I of the CAA, 42 USC Section 7401 through 7515. Administrative amendments (IDAPA 58.01.01.381), minor permit modifications (IDAPA 58.01.01.383), and significant permit modifications (IDAPA 58.01.01.382) require a revision to the Tier I operating permit. Clean Air Act Section 502(b)(10) changes are authorized in accordance with IDAPA 58.01.01.384. Off-permit changes and required notice are authorized in accordance with IDAPA 58.01.01.385.

**[IDAPA 58.01.01.381-385, 3/19/99; IDAPA 58.01.01.209.05, 5/1/94; 40 CFR 70.4(b)(14) and (15)]**

***Federal and State Enforceability***

12. Unless specifically identified as a “State-only” provision, all terms and conditions in this permit, including any terms and conditions designed to limit a source’s potential to emit, are enforceable: (i) by DEQ in accordance with state law; and (ii) by the United States or any other person in accordance with federal law.

**[IDAPA 58.01.01.322.15.j, 5/1/94; 40 CFR 70.6(b)(1) and (2)]**

13. Provisions specifically identified as a “State-only” provision are enforceable only in accordance with state law. “State-only” provisions are those that are not required under the Federal Clean Air Act or under any of its applicable requirements or those provisions adopted by the state prior to federal approval.

**[Idaho Code §39-108; IDAPA 58.01.01.322.15.k, 3/23/98]**

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*The permittee is hereby allowed to operate the equipment described herein subject to all terms and conditions of the permit.*

***Inspection and Entry***

14. Upon presentation of credentials, the permittee shall allow DEQ or an authorized representative of DEQ to do the following:

14.1 Enter upon the permittee's premises where a Tier I source is located or emissions related activity is conducted, or where records are kept under conditions of this permit;

14.2 Have access to and copy, at reasonable times, any records that are kept under the conditions of this permit;

14.3 Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and

14.4 As authorized by the Idaho Environmental Protection and Health Act, sample or monitor, at reasonable times, substances or parameters for the purpose of determining or ensuring compliance with this permit or applicable requirements.

**[Idaho Code §39-108; IDAPA 58.01.01.322.15.i, 3/19/99; 40 CFR 70.6(c)(2)]**

***New Requirements During Permit Term***

15. The permittee shall comply with applicable requirements that become effective during the permit term on a timely basis.

**[IDAPA 58.01.01.322.10, 4/5/00; IDAPA 58.01.01.314.10.a.ii, 5/1/94; 40 CFR 70.6(c)(3) citing 70.5(c)(8)]**

***Fees***

16. The owner or operator of a Tier I source shall pay annual registration fees to DEQ in accordance with IDAPA 58.01.01.525 through IDAPA 58.01.01.538.

**[IDAPA 58.01.01.322.15.n, 5/1/94; 40 CFR 70.6(a)(7)]**

***Certification***

17. All documents submitted to DEQ shall be certified in accordance with IDAPA 58.01.01.123 and comply with IDAPA 58.01.01.124.

**[IDAPA 58.01.01.322.15.o, 5/1/94; 40 CFR 70.6(a)(3)(iii)(A); 40 CFR 70.5(d)]**

***Renewal***

18.1 The owner or operator of a Tier I source shall submit an application to DEQ for a renewal of this permit at least 6 months before, but no earlier than 18 months before, the expiration date of this operating permit. To ensure that the term of the operating permit does not expire before the permit is renewed, the owner or operator is encouraged to submit a renewal application 9 months prior to the date of expiration.

**[IDAPA 58.01.01.313.03, 4/5/00; 40 CFR 70.5(a)(1)(iii)]**

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*The permittee is hereby allowed to operate the equipment described herein subject to all terms and conditions of the permit.*

- 18.2 If a timely and complete application for a Tier I operating permit renewal is submitted, but DEQ fails to issue or deny the renewal permit before the end of the term of this permit, then all the terms and conditions of this permit including any permit shield that may have been granted pursuant to IDAPA 58.01.01.325 shall remain in effect until the renewal permit has been issued or denied.
- [IDAPA 58.01.01.322.15.p, 5/1/94; 40 CFR 70.7(b)]**

**Permit Shield**

19. Compliance with the terms and conditions of the Tier I operating permit, including those applicable to all alternative operating scenarios and trading scenarios, shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that:
- 19.1 Such applicable requirements are included and are specifically identified in the Tier I operating permit; or
- 19.1.1 DEQ has determined that other requirements specifically identified are not applicable and all of the criteria set forth in IDAPA 58.01.01.325.01(b) have been met.
- 19.2 The permit shield shall apply to permit revisions made in accordance with IDAPA 58.01.01.381.04 (administrative amendments incorporating the terms of a permit to construct), IDAPA 58.01.01.382.04 (significant modifications), and IDAPA 58.01.01.384.03 (trading under an emissions cap).
- 19.3 Nothing in this permit shall alter or affect the following:
- 19.3.1 Any administrative authority or judicial remedy available to prevent or terminate emergencies or imminent and substantial dangers;
- 19.3.2 The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;
- 19.3.3 The applicable requirements of the acid rain program, consistent with 42 U.S.C. Section 7651(g)(a); and
- 19.3.4 The ability of EPA to obtain information from a source pursuant to Section 114 of the CAA; or the ability of DEQ to obtain information from a source pursuant to Idaho Code §39-108 and IDAPA 58.01.01.122.

**[Idaho Code 39-108 and 112; IDAPA 58.01.01.122, 322.15.m, 325, 5/1/94;  
IDAPA 58.01.01.381.04, 382.04, 383.05, 384.03, 385.03, 3/19/99; 40 CFR 70.6(f)]**

**Compliance Schedule and Progress Reports**

- 20.1 For each applicable requirement for which the source is not in compliance, the permittee shall comply with the compliance schedule incorporated in this permit.
- 20.2 For each applicable requirement that will become effective during the term of this permit and that provides a detailed compliance schedule, the permittee shall comply with such requirements in accordance with the detailed schedule.

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- 20.3 For each applicable requirement that will become effective during the term of this permit that does not contain a more detailed schedule, the permittee shall meet such requirements on a timely basis.
- 20.4 For each applicable requirement with which the permittee is in compliance, the permittee shall continue to comply with such requirements.

**[IDAPA 58.01.01.322.10, 4/5/00; IDAPA 58.01.01.314.9, 10, 5/1/94; 40 CFR 70.6(c)(3) and (4)]**

***Periodic Compliance Certification***

21. The permittee shall submit compliance certifications during the term of the permit for each emissions unit to DEQ and the EPA as follows:
- 21.1 Compliance certifications for all emissions units shall be submitted annually beginning 12 months from December 24, 2002, or more frequently if specified by the underlying applicable requirement or elsewhere in this permit by DEQ;
- 21.2 The compliance certification for each emissions unit shall address all of the terms and conditions contained in the Tier I operating permit that are applicable to such emissions unit including emissions limitations, standards, and work practices;
- 21.3 The compliance certification shall be in an itemized form providing the following information (provided that the identification of applicable information may cross-reference the permit or previous reports as applicable):
- 21.3.1 The identification of each term or condition of the Tier I operating permit that is the basis of the certification;
- 21.3.2 The identification of the method(s) or other means used by the owner or operator for determining the compliance status with each term and condition during the certification period. Such methods and other means shall include, at a minimum, the methods and means required by this Tier I operating permit.
- 21.3.3 The status of compliance with the terms and conditions of the permit for the period covered by the certification, including whether compliance during the period was continuous or intermittent. The certification shall be based on the method or means designated in Paragraph 21.3.2 above. The certification shall identify each deviation and take it into account in the compliance certification. The certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance as defined under 40 CFR Part 64 occurred;
- 21.3.4 Such other facts as DEQ may require to determine the compliance status of the source.
- 21.4 All original compliance certifications shall be submitted to DEQ and a copy of all compliance certifications shall be submitted to the EPA.

**[IDAPA 58.01.01.322.11, 5/1/94; 40 CFR 70.6(c)(5)(iii) as amended, 62 Fed. Reg. 54900, 54946, 10/22/97; 40 CFR 70.6(c)(5)(iv)]**

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*The permittee is hereby allowed to operate the equipment described herein subject to all terms and conditions of the permit.*

***False Statements***

22. No person shall knowingly make any false statement, representation, or certification in any form, notice, or report required under this permit, or any applicable rule or order in force pursuant thereto.  
[IDAPA 58.01.01.125, 3/23/98]

***No Tampering***

23. No person shall knowingly render inaccurate any monitoring device or method required under this permit or any applicable rule or order in force pursuant thereto.  
[IDAPA 58.01.01.126, 3/23/98]

***Semiannual Monitoring Reports***

24. In addition to all applicable reporting requirements identified in this permit, the permittee shall submit reports of any required monitoring at least every six months. The permittee's semiannual reporting periods shall be from December 24 to June 23 and June 24 to December 23. All instances of deviations from this operating permit's requirements must be clearly identified in the report. All required reports must be certified in accordance with IDAPA 58.01.01.123.  
[IDAPA 58.01.01.322.15.q, 3/23/98; IDAPA 58.01.01.322.08.c, 4/5/00; 40 CFR 70.6(a)(3)(iii)]

***Reporting Deviations and Excess Emissions***

25. The permittee shall promptly report all deviations from permit requirements including upset conditions, their probable cause, and any corrective actions or preventive measures taken. For excess emissions, the report shall be made in accordance with IDAPA 58.01.01.130-136. For all other deviations, the report shall be made in accordance with IDAPA 58.01.01.322.08.c, unless otherwise specified in this permit.  
[IDAPA 58.01.01.322.15.q, 3/23/98; IDAPA 58.01.01.135, 3/20/97; 40 CFR 70.6(a)(3)(iii)]

***Permit Revision Not Required***

26. No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit.  
[IDAPA 58.01.01.322.05.b, 4/5/00; 40 CFR 70.6(a)(8)]

***Emergency***

27. In accordance with IDAPA 58.01.01.332, an "emergency" as defined in IDAPA 58.01.01.008., constitutes an affirmative defense to an action brought for noncompliance with such technology-based emissions limitation if the conditions of IDAPA 58.01.01.332.02 are met.  
[IDAPA 58.01.01.332.01, 4/5/00; 40 CFR 70.6(g)]

## **Appendix A**

### **40 CFR 63 Subpart A Requirements<sup>1</sup>**

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<sup>1</sup> Where a difference occurs between the language in Appendix A and the language in 40 CFR 63, Subpart A, the language in 40 CFR 63, Subpart A shall take precedence.



## **A.1 Prohibited activities and circumvention (§ 63.4)**

### **(a) Prohibited activities**

(1) No owner or operator subject to the provisions of 40 CFR Part 63 shall operate any affected source in violation of the requirements of 40 CFR Part 63 except under

- (i) An extension of compliance granted by the Administrator under 40 CFR Part 63; or
- (ii) (ii) An extension of compliance granted under 40 CFR Part 63 by a State with an approved permit program; or
- (iii) (iii) An exemption from compliance granted by the President under Section 112(i)(4) of the Act.

(2) No owner or operator subject to the provisions of 40 CFR Part 63 shall fail to keep records, notify, report, or revise reports as required under 40 CFR Part 63.

(3) After the effective date of an approved permit program in a State, no owner or operator of an affected source in that State who is required under 40 CFR Part 63 to obtain a title V permit shall operate such source except in compliance with the provisions of 40 CFR Part 63 and the applicable requirements of the permit program in that State.

(4) (Reserved).

(5) An owner or operator of an affected source who is subject to an emission standard promulgated under 40 CFR Part 63 shall comply with the requirements of that standard by the date(s) established in the applicable subpart(s) of 40 CFR Part 63 regardless of whether --

- (i) A title V permit has been issued to that source; or
- (ii) (ii) If a title V permit has been issued to that source, whether such permit has been revised or modified to incorporate the emission standard.

### **(b) Circumvention.**

No owner or operator subject to the provisions of 40 CFR Part 63 shall build, erect, install, or use any article, machine, equipment, or process to conceal an emission that would otherwise constitute noncompliance with a relevant standard.

Such concealment includes, but is not limited to

- (1) The use of diluents to achieve compliance with a relevant standard based on the concentration of a pollutant in the effluent discharged to the atmosphere;
- (2) The use of gaseous diluents to achieve compliance with a relevant standard for visible emissions; and
- (3) The fragmentation of an operation such that the operation avoids regulation by a relevant standard.

### **(c) Severability.**

Notwithstanding any requirement incorporated into a title V permit obtained by an owner or operator subject to the provisions of 40 CFR Part 63, the provisions of 40 CFR Part 63 are federally enforceable.

**[40 CFR 63.4]**

## **A.2      *Operation and maintenance requirements (§ 63.6(e), (f)(1))***

### **(e) Operation and Maintenance Requirements.**

(1)(i) At all times, including periods of startup, shutdown, and malfunction, owners or operators shall operate and maintain any affected source, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions at least to the levels required by all relevant standards.

(ii) Malfunctions shall be corrected as soon as practicable after their occurrence in accordance with the startup, shutdown, and malfunction plan required in paragraph (e)(3) of this section.

(iii) Operation and maintenance requirements established pursuant to Section 112 of the Act are enforceable independent of emissions limitations or other requirements in relevant standards.

(2) Determination of whether acceptable operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures [including the startup, shutdown, and malfunction plan required in paragraph (e)(3) of this section], review of operation and maintenance records, and inspection of the source.

#### **(3) Startup, Shutdown, and Malfunction Plan.**

(i) The owner or operator of an affected source shall develop and implement a written startup, shutdown, and malfunction plan that describes, in detail, procedures for operating and maintaining the source during periods of startup, shutdown, and malfunction and a program of corrective action for malfunctioning process and air pollution control equipment used to comply with the relevant standard. As required under § 63.8(c)(1)(i), the plan shall identify all routine or otherwise predictable CMS malfunctions. This plan shall be developed by the owner or operator by the source's compliance date for that relevant standard. The plan shall be incorporated by reference into the source's title V permit. The purpose of the startup, shutdown, and malfunction plan is to --

(A) Ensure that, at all times, owners or operators operate and maintain affected sources, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions at least to the levels required by all relevant standards;

(B) Ensure that owners or operators are prepared to correct malfunctions as soon as practicable after their occurrence in order to minimize excess emissions of hazardous air pollutants; and

(C) Reduce the reporting burden associated with periods of startup, shutdown, and malfunction (including corrective action taken to restore malfunctioning process and air pollution control equipment to its normal or usual manner of operation).

(ii) During periods of startup, shutdown, and malfunction, the owner or operator of an affected source shall operate and maintain such source (including associated air pollution control equipment) in accordance with the procedures specified in the startup, shutdown, and malfunction plan developed under paragraph (e)(3)(i) of this section.

(iii) When actions taken by the owner or operator during a startup, shutdown, or malfunction (including actions taken to correct a malfunction) are consistent with the procedures specified in the affected source's startup, shutdown, and malfunction plan, the owner or operator shall keep records for that event that demonstrate that the procedures specified in the plan were followed. These records may take the form of a "checklist," or other effective form of record-keeping, that confirms conformance with the startup, shutdown, and malfunction plan for that event. In addition, the owner or operator shall keep records of these events as specified in [§ 63.10\(b\)](#) (and elsewhere in 40 CFR Part 63), including records of the occurrence and duration of each startup, shutdown, or malfunction of operation and each malfunction of the air pollution control equipment. Furthermore, the owner or operator shall confirm that actions taken during the relevant reporting period during periods of startup,

shutdown, and malfunction were consistent with the affected source's startup, shutdown and malfunction plan in the semiannual (or more frequent) startup, shutdown, and malfunction report required in § 63.10(d)(5).

(iv) If an action taken by the owner or operator during a startup, shutdown, or malfunction (including an action taken to correct a malfunction) is not consistent with the procedures specified in the affected source's startup, shutdown, and malfunction plan, the owner or operator shall record the actions taken for that event and shall report such actions within two working days after commencing actions inconsistent with the plan, followed by a letter within seven working days after the end of the event, in accordance with § 63.10(d)(5) (unless the owner or operator makes alternative reporting arrangements, in advance, with the Administrator [see § 63.10(d)(5)(ii)]).

(v) The owner or operator shall keep the written startup, shutdown, and malfunction plan on record after it is developed to be made available for inspection, upon request, by the Administrator for the life of the affected source or until the affected source is no longer subject to the provisions of 40 CFR Part 63. In addition, if the startup, shutdown, and malfunction plan is revised, the owner or operator shall keep previous (i.e., superseded) versions of the startup, shutdown, and malfunction plan on record, to be made available for inspection, upon request, by the Administrator, for a period of five years after each revision to the plan.

(vi) To satisfy the requirements of this section to develop a startup, shutdown, and malfunction plan, the owner or operator may use the affected source's standard operating procedures (SOP) manual, or an Occupational Safety and Health Administration (OSHA) or other plan, provided the alternative plans meet all the requirements of this section and are made available for inspection when requested by the Administrator.

(vii) Based on the results of a determination made under paragraph (e)(2) of this section, the Administrator may require that an owner or operator of an affected source make changes to the startup, shutdown, and malfunction plan for that source. The Administrator may require reasonable revisions to a startup, shutdown, and malfunction plan, if the Administrator finds that the plan:

(A) Does not address a startup, shutdown, or malfunction event that has occurred;

(B) Fails to provide for the operation of the source (including associated air pollution control equipment) during a startup, shutdown, or malfunction event in a manner consistent with good air pollution control practices for minimizing emissions at least to the levels required by all relevant standards; or

(C) Does not provide adequate procedures for correcting malfunctioning process and/or air pollution control equipment as quickly as practicable.

(viii) If the startup, shutdown, and malfunction plan fails to address or inadequately addresses an event that meets the characteristics of a malfunction but was not included in the startup, shutdown, and malfunction plan at the time the owner or operator developed the plan, the owner or operator shall revise the startup, shutdown, and malfunction plan within 45 days after the event to include detailed procedures for operating and maintaining the source during similar malfunction events and a program of corrective action for similar malfunctions of process or air pollution control equipment.

#### **(f) Compliance with Nonopacity Emission Standards**

(1) Applicability. The nonopacity emission standards set forth in 40 CFR Part 63 shall apply at all times except during periods of startup, shutdown, and malfunction, and as otherwise specified in an applicable subpart.

**[40 CFR 63.6(e), (f)(1)]**

### **A.3      *Performance testing requirements (§ 63.7)***

#### **(a) Applicability and Performance Test Dates.**

- (1) Unless otherwise specified, this section applies to the owner or operator of an affected source required to do performance testing, or another form of compliance demonstration, under a relevant standard.
- (2) If required to do performance testing by a relevant standard, and unless a waiver of performance testing is obtained under this section or the conditions of paragraph (c)(3)(ii)(B) of this section apply, the owner or operator of the affected source shall perform such tests as follows --
  - (i) Within 180 days after the effective date of a relevant standard for a new source that has an initial startup date before the effective date; or
  - (ii) Within 180 days after initial startup for a new source that has an initial startup date after the effective date of a relevant standard; or
  - (iii) Within 180 days after the compliance date specified in an applicable subpart of 40 CFR Part 63 for an existing source subject to an emission standard established pursuant to Section 112(d) of the Act, or within 180 days after startup of an existing source if the source begins operation after the effective date of the relevant emission standard; or
  - (iv) Within 180 days after the compliance date for an existing source subject to an emission standard established pursuant to Section 112(f) of the Act; or
  - (v) Within 180 days after the termination date of the source's extension of compliance for an existing source that obtains an extension of compliance under [§ 63.6\(i\)](#); or
  - (vi) Within 180 days after the compliance date for a new source, subject to an emission standard established pursuant to Section 112(f) of the Act, for which construction or reconstruction is commenced after the proposal date of a relevant standard established pursuant to Section 112(d) of the Act but before the proposal date of the relevant standard established pursuant to Section 112(f) [see § 63.6(b)(4)]; or
  - (vii) (Reserved).
  - (viii) (Reserved).
  - (ix) When an emission standard promulgated under 40 CFR Part 63 is more stringent than the standard proposed [see § 63.6(b)(3)], the owner or operator of a new or reconstructed source subject to that standard for which construction or reconstruction is commenced between the proposal and promulgation dates of the standard shall comply with performance testing requirements within 180 days after the standard's effective date, or within 180 days after startup of the source, whichever is later. If the promulgated standard is more stringent than the proposed standard, the owner or operator may choose to demonstrate compliance with either the proposed or the promulgated standard. If the owner or operator chooses to comply with the proposed standard initially, the owner or operator shall conduct a second performance test within three years and 180 days after the effective date of the standard, or after startup of the source, whichever is later, to demonstrate compliance with the promulgated standard.
- (3) The Administrator may require an owner or operator to conduct performance tests at the affected source at any other time when the action is authorized by Section 114 of the Act.

**[40 CFR 63.7(a)]**

**(b) Notification of Performance Test.**

(1) The owner or operator of an affected source shall notify the Administrator in writing of his or her intention to conduct a performance test at least 60 calendar days before the performance test is scheduled to begin to allow the Administrator, upon request, to review and approve the site-specific test plan required under paragraph (c) of this section and to have an observer present during the test. Observation of the performance test by the Administrator is optional.

(2) In the event the owner or operator is unable to conduct the performance test on the date specified in the notification requirement specified in paragraph (b)(1) of this section, due to unforeseeable circumstances beyond his or her control, the owner or operator shall notify the Administrator within five days prior to the scheduled performance test date and specify the date when the performance test is rescheduled. This notification of delay in conducting the performance test shall not relieve the owner or operator of legal responsibility for compliance with any other applicable provisions of 40 CFR Part 63 or with any other applicable Federal, State, or local requirement, nor will it prevent the Administrator from implementing or enforcing 40 CFR Part 63 or taking any other action under the Act.

**[40 CFR 63.7(b)]**

**(c) Quality Assurance Program.**

(1) The results of the quality assurance program required in this paragraph will be considered by the Administrator when he/she determines the validity of a performance test.

(2)(i) Submission of site-specific test plan. Before conducting a required performance test, the owner or operator of an affected source shall develop and, if requested by the Administrator, shall submit a site-specific test plan to the Administrator for approval. The test plan shall include a test program summary, the test schedule, data quality objectives, and both an internal and external quality assurance (QA) program. Data quality objectives are the pretest expectations of precision, accuracy, and completeness of data.

(ii) The internal QA program shall include, at a minimum, the activities planned by routine operators and analysts to provide an assessment of test data precision; an example of internal QA is the sampling and analysis of replicate samples.

(iii) The external QA program shall include, at a minimum, application of plans for a test method performance audit (PA) during the performance test. The PA's consist of blind audit samples provided by the Administrator and analyzed during the performance test in order to provide a measure of test data bias. The external QA program may also include systems audits that include the opportunity for on-site evaluation by the Administrator of instrument calibration, data validation, sample logging, and documentation of quality control data and field maintenance activities.

(iv) The owner or operator of an affected source shall submit the site-specific test plan to the Administrator upon the Administrator's request at least 60 calendar days before the performance test is scheduled to take place, that is, simultaneously with the notification of intention to conduct a performance test required under paragraph (b) of this section, or on a mutually agreed upon date.

(v) The Administrator may request additional relevant information after the submittal of a site-specific test plan.

**(3) Approval of site-specific test plan.**

(i) The Administrator will notify the owner or operator of approval or intention to deny approval of the site-specific test plan (if review of the site-specific test plan is requested) within 30 calendar days after receipt of the original plan and within 30 calendar days after receipt of any supplementary information that is submitted under paragraph (c)(3)(i)(B) of this section. Before disapproving any site-specific test plan, the Administrator will notify the applicant of the Administrator's intention to disapprove the plan together with --

- (A) Notice of the information and findings on which the intended disapproval is based; and
  - (B) Notice of opportunity for the owner or operator to present, within 30 calendar days after he/she is notified of the intended disapproval, additional information to the Administrator before final action on the plan.
- (ii) In the event that the Administrator fails to approve or disapprove the site-specific test plan within the time period specified in paragraph (c)(3)(i) of this section, the following conditions shall apply:
- (A) If the owner or operator intends to demonstrate compliance using the test method(s) specified in the relevant standard, the owner or operator shall conduct the performance test within the time specified in this section using the specified method(s);
  - (B) If the owner or operator intends to demonstrate compliance by using an alternative to any test method specified in the relevant standard, the owner or operator shall refrain from conducting the performance test until the Administrator approves the use of the alternative method when the Administrator approves the site-specific test plan (if review of the site-specific test plan is requested) or until after the alternative method is approved [see paragraph (f) of this section]. If the Administrator does not approve the site-specific test plan (if review is requested) or the use of the alternative method within 30 days before the test is scheduled to begin, the performance test dates specified in paragraph (a) of this section may be extended such that the owner or operator shall conduct the performance test within 60 calendar days after the Administrator approves the site-specific test plan or after use of the alternative method is approved. Notwithstanding the requirements in the preceding two sentences, the owner or operator may proceed to conduct the performance test as required in this section (without the Administrator's prior approval of the site-specific test plan) if he/she subsequently chooses to use the specified testing and monitoring methods instead of an alternative.
- (iii) Neither the submission of a site-specific test plan for approval, nor the Administrator's approval or disapproval of a plan, nor the Administrator's failure to approve or disapprove a plan in a timely manner shall
- (A) Relieve an owner or operator of legal responsibility for compliance with any applicable provisions of 40CFR Part 63 or with any other applicable Federal, State, or local requirement; or
  - (B) Prevent the Administrator from implementing or enforcing 40 CFR Part 63 or taking any other action under the Act.
- (4)(i) Performance test method audit program. The owner or operator shall analyze performance audit (PA) samples during each performance test. The owner or operator shall request performance audit materials 45 days prior to the test date. Cylinder audit gases, if available, must be obtained from the appropriate EPA Regional Office or from the responsible enforcement authority and analyzed in conjunction with the field samples.
- (ii) The Administrator will have sole discretion to require any subsequent remedial actions of the owner or operator based on the PA results.
- (iii) If the Administrator fails to provide required PA materials to an owner or operator of an affected source in time to analyze the PA samples during a performance test, the requirement to conduct a PA under this paragraph shall be waived for such source for that performance test. Waiver under this paragraph of the requirement to conduct a PA for a particular performance test does not constitute a waiver of the requirement to conduct a PA for future required performance tests.

**[40 CFR 63.7(c)]**

**(d) Performance Testing Facilities.**

If required to do performance testing, the owner or operator of each new source and, at the request of the Administrator, the owner or operator of each existing source, shall provide performance testing facilities as follows:

Sampling ports adequate for test methods applicable to such source. This includes:

- (i) Constructing the air pollution control system such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and procedures; and
  - (ii) Providing a stack or duct free of cyclonic flow during performance tests, as demonstrated by applicable test methods and procedures;
- (2) Safe sampling platform(s);
  - (3) Safe access to sampling platform(s);
  - (4) Utilities for sampling and testing equipment; and
  - (5) Any other facilities that the Administrator deems necessary for safe and adequate testing of a source.

**[40 CFR 63.7(d)]**

**(e) Conduct of Performance Tests .**

- (1) Performance tests shall be conducted under such conditions as the Administrator specifies to the owner or operator based on representative performance (i.e., performance based on normal operating conditions) of the affected source. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test, nor shall emissions in excess of the level of the relevant standard during periods of startup, shutdown, and malfunction be considered a violation of the relevant standard unless otherwise specified in the relevant standard or a determination of noncompliance is made under [§ 63.6\(e\)](#). Upon request, the owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of performance tests.
- (2) Performance tests shall be conducted and data shall be reduced in accordance with the test methods and procedures set forth in this section, in each relevant standard, and, if required, in applicable appendices of [parts 51, 60, 61](#), and 63 of this chapter unless the Administrator --
  - (i) Specifies or approves, in specific cases, the use of a test method with minor changes in methodology; or
  - (ii) Approves the use of an alternative test method, the results of which the Administrator has determined to be adequate for indicating whether a specific affected source is in compliance; or
  - (iii) Approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors; or
  - (iv) Waives the requirement for performance tests because the owner or operator of an affected source has demonstrated by other means to the Administrator's satisfaction that the affected source is in compliance with the relevant standard.
- (3) Unless otherwise specified in a relevant standard or test method, each performance test shall consist of three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the relevant standard. For the purpose of determining compliance with a relevant standard, the arithmetic mean of the results of the three runs shall apply. Upon receiving approval from the Administrator, results of a test run may be replaced with results of an additional test run in the event that --
  - (i) A sample is accidentally lost after the testing team leaves the site; or
  - (ii) Conditions occur in which one of the three runs must be discontinued because of forced shutdown; or
  - (iii) Extreme meteorological conditions occur; or

(iv) Other circumstances occur that are beyond the owner or operator's control.

(4) Nothing in paragraphs (e)(1) through (e)(3) of this section shall be construed to abrogate the Administrator's authority to require testing under Section 114 of the Act.

**[40 CFR 63.7(e)]**

**(f) Use of an Alternative Test Method --**

(1) General. Until permission to use an alternative test method has been granted by the Administrator under this paragraph, the owner or operator of an affected source remains subject to the requirements of this section and the relevant standard.

(2) The owner or operator of an affected source required to do performance testing by a relevant standard may use an alternative test method from that specified in the standard provided that the owner or operator --

(i) Notifies the Administrator of his or her intention to use an alternative test method not later than with the submittal of the site-specific test plan (if requested by the Administrator) or at least 60 days before the performance test is scheduled to begin if a site-specific test plan is not submitted;

(ii) Uses Method 301 in Appendix A of 40 CFR Part 63 to validate the alternative test method; and

(iii) Submits the results of the Method 301 validation process along with the notification of intention and the justification for not using the specified test method. The owner or operator may submit the information required in this paragraph well in advance of the deadline specified in paragraph (f)(2)(i) of this section to ensure a timely review by the Administrator in order to meet the performance test date specified in this section or the relevant standard.

(3) The Administrator will determine whether the owner or operator's validation of the proposed alternative test method is adequate when the Administrator approves or disapproves the site-specific test plan required under paragraph (c) of this section. If the Administrator finds reasonable grounds to dispute the results obtained by the Method 301 validation process, the Administrator may require the use of a test method specified in a relevant standard.

(4) If the Administrator finds reasonable grounds to dispute the results obtained by an alternative test method for the purposes of demonstrating compliance with a relevant standard, the Administrator may require the use of a test method specified in a relevant standard.

(5) If the owner or operator uses an alternative test method for an affected source during a required performance test, the owner or operator of such source shall continue to use the alternative test method for subsequent performance tests at that affected source until he or she receives approval from the Administrator to use another test method as allowed under § 63.7(f).

(6) Neither the validation and approval process nor the failure to validate an alternative test method shall abrogate the owner or operator's responsibility to comply with the requirements of 40 CFR Part 63.

**[40 CFR 63.7(f)]**

**(g) Data Analysis, Record Keeping, and Reporting.**

(1) Unless otherwise specified in a relevant standard or test method, or as otherwise approved by the Administrator in writing, results of a performance test shall include the analysis of samples, determination of emissions, and raw data. A performance test is "completed" when field sample collection is terminated. The owner or operator of an affected source shall report the results of the performance test to the Administrator before the close of business on the 60th day following the completion of the performance test, unless specified otherwise in a relevant standard or as approved otherwise in writing by the Administrator [see § 63.9(i)]. The results of the performance test shall be submitted as part of the notification of compliance status required under § 63.9(h). Before a title V



permit has been issued to the owner or operator of an affected source, the owner or operator shall send the results of the performance test to the Administrator. After a title V permit has been issued to the owner or operator of an affected source, the owner or operator shall send the results of the performance test to the appropriate permitting authority.

(2) (Reserved).

(3) For a minimum of five years after a performance test is conducted, the owner or operator shall retain and make available, upon request, for inspection by the Administrator the records or results of such performance test and other data needed to determine emissions from an affected source.

**[40 CFR 63.7(g)]**

**(h) Waiver of Performance Tests.**

(1) Until a waiver of a performance testing requirement has been granted by the Administrator under this paragraph, the owner or operator of an affected source remains subject to the requirements of this section.

(2) Individual performance tests may be waived upon written application to the Administrator if, in the Administrator's judgment, the source is meeting the relevant standard(s) on a continuous basis, or the source is being operated under an extension of compliance, or the owner or operator has requested an extension of compliance and the Administrator is still considering that request.

(3) Request to waive a performance test.

(i) If a request is made for an extension of compliance under [§ 63.6\(i\)](#), the application for a waiver of an initial performance test shall accompany the information required for the request for an extension of compliance. If no extension of compliance is requested or if the owner or operator has requested an extension of compliance and the Administrator is still considering that request, the application for a waiver of an initial performance test shall be submitted at least 60 days before the performance test if the site-specific test plan under paragraph (c) of this section is not submitted.

(ii) If an application for a waiver of a subsequent performance test is made, the application may accompany any required compliance progress report, compliance status report, or excess emissions and continuous monitoring system performance report [such as those required under [§ 63.6\(i\)](#), [§ 63.9\(h\)](#), and [§ 63.10\(e\)](#) or specified in a relevant standard or in the source's title V permit], but it shall be submitted at least 60 days before the performance test if the site-specific test plan required under paragraph (c) of this section is not submitted.

(iii) Any application for a waiver of a performance test shall include information justifying the owner or operator's request for a waiver, such as the technical or economic infeasibility, or the impracticality, of the affected source performing the required test.

(4) Approval of request to waive performance test. The Administrator will approve or deny a request for a waiver of a performance test made under paragraph (h)(3) of this section when he/she --

(i) Approves or denies an extension of compliance under [§ 63.6\(i\)\(8\)](#); or

(ii) Approves or disapproves a site-specific test plan under [§ 63.7\(c\)\(3\)](#); or

(iii) Makes a determination of compliance following the submission of a required compliance status report or excess emissions and continuous monitoring systems performance report; or

(iv) Makes a determination of suitable progress towards compliance following the submission of a compliance progress report, whichever is applicable.

(5) Approval of any waiver granted under this section shall not abrogate the Administrator's authority under the Act or in any way prohibit the Administrator from later canceling the waiver. The cancellation will be made only after notice is given to the owner or operator of the affected source.

**[40 CFR 63.7(h)]**

## **A.4 Monitoring requirements (§ 63.8)**

### **(a) Applicability.**

(1)(i) Unless otherwise specified in a relevant standard, this section applies to the owner or operator of an affected source required to do monitoring under that standard.

(ii) Relevant standards established under 40 CFR Part 63 will specify monitoring systems, methods, or procedures, monitoring frequency, and other pertinent requirements for source(s) regulated by those standards. This section specifies general monitoring requirements such as those governing the conduct of monitoring and requests to use alternative monitoring methods. In addition, this section specifies detailed requirements that apply to affected sources required to use continuous monitoring systems (CMS) under a relevant standard.

**[40 CFR 63.8(a)]**

### **(b) Conduct of Monitoring.**

(1) Monitoring shall be conducted as set forth in this section and the relevant standard(s) unless the Administrator

(i) Specifies or approves the use of minor changes in methodology for the specified monitoring requirements and procedures; or

(ii) Approves the use of alternatives to any monitoring requirements or procedures.

(iii) Owners or operators with flares subject to § 63.11(b) are not subject to the requirements of this section unless otherwise specified in the relevant standard.

(2)(i) When the effluents from a single affected source, or from two or more affected sources, are combined before being released to the atmosphere, the owner or operator shall install an applicable CMS on each effluent.

(ii) If the relevant standard is a mass emission standard and the effluent from one affected source is released to the atmosphere through more than one point, the owner or operator shall install an applicable CMS at each emission point unless the installation of fewer systems is --

(A) Approved by the Administrator; or

(B) Provided for in a relevant standard (e.g., instead of requiring that a CMS be installed at each emission point before the effluents from those points are channeled to a common control device, the standard specifies that only one CMS is required to be installed at the vent of the control device).

(3) When more than one CMS is used to measure the emissions from one affected source (e.g., multiple breechings, multiple outlets), the owner or operator shall report the results as required for each CMS. However, when one CMS is used as a backup to another CMS, the owner or operator shall report the results from the CMS used to meet the monitoring requirements of 40 CFR Part 63. If both such CMS are used during a particular reporting period to meet the monitoring requirements of 40 CFR Part 63, then the owner or operator shall report the results from each CMS for the relevant compliance period.

**[40 CFR 63.8(b)]**

### **(c) Operation and Maintenance of Continuous Monitoring Systems .**

(1) The owner or operator of an affected source shall maintain and operate each CMS as specified in this section, or in a relevant standard, and in a manner consistent with good air pollution control practices.

(i) The owner or operator of an affected source shall ensure the immediate repair or replacement of CMS parts to correct "routine" or otherwise predictable CMS malfunctions as defined in the source's startup, shutdown, and malfunction plan required by [§ 63.6\(e\)\(3\)](#). The owner or operator shall keep the necessary parts for routine repairs of the affected equipment readily available. If the plan is followed and the CMS repaired immediately, this action shall be reported in the semiannual startup, shutdown, and malfunction report required under [§ 63.10\(d\)\(5\)\(i\)](#).

(ii) For those malfunctions or other events that affect the CMS and are not addressed by the startup, shutdown, and malfunction plan, the owner or operator shall report actions that are not consistent with the startup, shutdown, and malfunction plan within 24 hours after commencing actions inconsistent with the plan. The owner or operator shall send a follow-up report within two weeks after commencing actions inconsistent with the plan that either certifies that corrections have been made or includes a corrective action plan and schedule. The owner or operator shall provide proof that repair parts have been ordered or any other records that would indicate that the delay in making repairs is beyond his or her control.

(iii) The Administrator's determination of whether acceptable operation and maintenance procedures are being used will be based on information that may include, but is not limited to, review of operation and maintenance procedures, operation and maintenance records, manufacturing recommendations and specifications, and inspection of the CMS. Operation and maintenance procedures written by the CMS manufacturer and other guidance also can be used to maintain and operate each CMS.

(2) All CMS shall be installed such that representative measurements of emissions or process parameters from the affected source are obtained. In addition, CEMS shall be located according to procedures contained in the applicable performance specification(s).

(3) All CMS shall be installed, operational, and the data verified as specified in the relevant standard either prior to or in conjunction with conducting performance tests under [§ 63.7](#). Verification of operational status shall, at a minimum, include completion of the manufacturer's written specifications or recommendations for installation, operation, and calibration of the system.

(4) Except for system breakdowns, out-of-control periods, repairs, maintenance periods, calibration checks, and zero (low-level) and high-level calibration drift adjustments, all CMS, including COMS and CEMS, shall be in continuous operation and shall meet minimum frequency of operation requirements as follows:

(i) All COMS shall complete a minimum of one cycle of sampling and analyzing for each successive 10-second period and one cycle of data recording for each successive six-minute period.

(ii) All CEMS for measuring emissions other than opacity shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period.

**[40 CFR 63.8(c)]**

#### **(d) Quality Control Program.**

(1) The results of the quality control program required in this paragraph will be considered by the Administrator when he/she determines the validity of monitoring data.

(2) The owner or operator of an affected source that is required to use a CMS and is subject to the monitoring requirements of this section and a relevant standard shall develop and implement a CMS quality control program. As part of the quality control program, the owner or operator shall develop and submit to the Administrator for approval upon request a site-specific performance evaluation test plan for the CMS performance evaluation required in paragraph (e)(3)(i) of this section, according to the procedures specified in paragraph (e). In addition, each quality control program shall include, at a minimum, a written protocol that describes procedures for each of the following operations:

(i) Initial and any subsequent calibration of the CMS;

(ii) Determination and adjustment of the calibration drift of the CMS;

(iii) Preventive maintenance of the CMS, including spare parts inventory;

- (iv) Data recording, calculations, and reporting;
- (v) Accuracy audit procedures, including sampling and analysis methods; and
- (vi) Program of corrective action for a malfunctioning CMS.

(3) The owner or operator shall keep these written procedures on record for the life of the affected source or until the affected source is no longer subject to the provisions of 40 CFR Part 63, to be made available for inspection, upon request, by the Administrator. If the performance evaluation plan is revised, the owner or operator shall keep previous (i.e., superseded) versions of the performance evaluation plan on record to be made available for inspection, upon request, by the Administrator, for a period of 5 years after each revision to the plan. Where relevant, e.g., program of corrective action for a malfunctioning CMS, these written procedures may be incorporated as part of the affected source's startup, shutdown, and malfunction plan to avoid duplication of planning and record-keeping efforts.

**[40 CFR 63.8(d)]**

- (e) Not applicable.

**(f) Use of an Alternative Monitoring Method --**

- (1) General.

Until permission to use an alternative monitoring method has been granted by the Administrator under this paragraph, the owner or operator of an affected source remains subject to the requirements of this section and the relevant standard.

- (2) After receipt and consideration of written application, the Administrator may approve alternatives to any monitoring methods or procedures of 40 CFR Part 63 including, but not limited to, the following:

- (i) Alternative monitoring requirements when installation of a CMS specified by a relevant standard would not provide accurate measurements due to liquid water or other interferences caused by substances within the effluent gases;
- (ii) Alternative monitoring requirements when the affected source is infrequently operated;
- (iii) Alternative monitoring requirements to accommodate CEMS that require additional measurements to correct for stack moisture conditions;
- (iv) Alternative locations for installing CMS when the owner or operator can demonstrate that installation at alternate locations will enable accurate and representative measurements;
- (v) Alternate methods for converting pollutant concentration measurements to units of the relevant standard;
- (vi) Alternate procedures for performing daily checks of zero (low-level) and high-level drift that do not involve use of high-level gases or test cells;
- (vii) Alternatives to the American Society for Testing and Materials (ASTM) test methods or sampling procedures specified by any relevant standard;
- (viii) Alternative CMS that do not meet the design or performance requirements in 40 CFR Part 63, but adequately demonstrate a definite and consistent relationship between their measurements and the measurements of opacity by a system complying with the requirements as specified in the relevant standard. The Administrator may require that such demonstration be performed for each affected source; or
- (ix) Alternative monitoring requirements when the effluent from a single affected source or the combined effluent from two or more affected sources is released to the atmosphere through more than one point.

(3) If the Administrator finds reasonable grounds to dispute the results obtained by an alternative monitoring method, requirement, or procedure, the Administrator may require the use of a method, requirement, or procedure specified in this section or in the relevant standard. If the results of the specified and alternative method, requirement, or procedure do not agree, the results obtained by the specified method, requirement, or procedure shall prevail.

(4)(i) Request to use alternative monitoring method. An owner or operator who wishes to use an alternative monitoring method shall submit an application to the Administrator as described in paragraph (f)(4)(ii) of this section, below. The application may be submitted at any time provided that the monitoring method is not used to demonstrate compliance with a relevant standard or other requirement. If the alternative monitoring method is to be used to demonstrate compliance with a relevant standard, the application shall be submitted not later than with the site-specific test plan required in § 63.7(c) (if requested) or with the site-specific performance evaluation plan (if requested) or at least 60 days before the performance evaluation is scheduled to begin.

(ii) The application shall contain a description of the proposed alternative monitoring system and a performance evaluation test plan, if required, as specified in paragraph (e)(3) of this section. In addition, the application shall include information justifying the owner or operator's request for an alternative monitoring method, such as the technical or economic infeasibility, or the impracticality, of the affected source using the required method.

(iii) The owner or operator may submit the information required in this paragraph well in advance of the submittal dates specified in paragraph (f)(4)(i) above to ensure a timely review by the Administrator in order to meet the compliance demonstration date specified in this section or the relevant standard.

(5) Approval of request to use alternative monitoring method.

(i) The Administrator will notify the owner or operator of approval or intention to deny approval of the request to use an alternative monitoring method within 30 calendar days after receipt of the original request and within 30 calendar days after receipt of any supplementary information that is submitted. Before disapproving any request to use an alternative monitoring method, the Administrator will notify the applicant of the Administrator's intention to disapprove the request together with --

(A) Notice of the information and findings on which the intended disapproval is based; and

(B) Notice of opportunity for the owner or operator to present additional information to the Administrator before final action on the request. At the time the Administrator notifies the applicant of his or her intention to disapprove the request, the Administrator will specify how much time the owner or operator will have after being notified of the intended disapproval to submit the additional information.

(ii) The Administrator may establish general procedures and criteria in a relevant standard to accomplish the requirements of paragraph (f)(5)(i) of this section.

(iii) If the Administrator approves the use of an alternative monitoring method for an affected source under paragraph (f)(5)(i) of this section, the owner or operator of such source shall continue to use the alternative monitoring method until he or she receives approval from the Administrator to use another monitoring method as allowed by § 63.8(f).

**[40 CFR 63.8(f)]**

**(g) Reduction of Monitoring Data.**

(1) The owner or operator of each CMS shall reduce the monitoring data as specified in this paragraph. In addition, each relevant standard may contain additional requirements for reducing monitoring data. When additional requirements are specified in a relevant standard, the standard will identify any unnecessary or duplicated requirements in this paragraph that the owner or operator need not comply with.

(2) Not applicable.

(3) The data may be recorded in reduced or nonreduced form (e.g., ppm pollutant and percent O<sub>2</sub> or ng/J of pollutant).

(4) All emission data shall be converted into units of the relevant standard for reporting purposes using the conversion procedures specified in that standard. After conversion into units of the relevant standard, the data may be rounded to the same number of significant digits as used in that standard to specify the emission limit (e.g., rounded to the nearest 1 % opacity).

(5) Monitoring data recorded during periods of unavoidable CMS breakdowns, out-of-control periods, repairs, maintenance periods, calibration checks, and zero (low-level) and high-level adjustments shall not be included in any data average computed under 40 CFR Part 63. For owners or operators complying with the requirements of [§ 63.10\(b\)\(2\)\(vii\)\(A\) or \(B\)](#), data averages must include any data recorded during periods of monitor breakdown or malfunction.

[40 CFR 63.8(g)]

## **A.5 Notification Requirements (§ 63.9)**

### **(a) Applicability and General Information.**

(1) The requirements in this section apply to owners and operators of affected sources that are subject to the provisions of 40 CFR 63 unless specified otherwise in a relevant standard.

(2) For affected sources that have been granted an extension of compliance under Subpart D of 40 CFR Part 63, the requirements of this section do not apply to those sources while they are operating under such compliance extensions.

(3) If any State requires a notice that contains all the information required in a notification listed in this section, the owner or operator may send the Administrator a copy of the notice sent to the State to satisfy the requirements of this section for that notification.

(4)(i) Before a State has been delegated the authority to implement and enforce notification requirements established under 40 CFR Part 63, the owner or operator of an affected source in such State subject to such requirements shall submit notifications to the appropriate Regional Office of the EPA (to the attention of the Director of the Division indicated in the list of the EPA Regional Offices in [§ 63.13](#)).

(ii) After a State has been delegated the authority to implement and enforce notification requirements established under 40 CFR Part 63, the owner or operator of an affected source in such State subject to such requirements shall submit notifications to the delegated State authority (which may be the same as the permitting authority). In addition, if the delegated (permitting) authority is the State, the owner or operator shall send a copy of each notification submitted to the State to the appropriate Regional Office of the EPA, as specified in paragraph (a)(4)(i) of this section. The Regional Office may waive this requirement for any notifications at its discretion.

[40 CFR 63.9(a)]

### **(b) Initial Notifications.**

(1)(i) The requirements of this paragraph apply to the owner or operator of an affected source when such source becomes subject to a relevant standard.

(ii) If an area source that otherwise would be subject to an emission standard or other requirement established under 40 CFR Part 63 if it were a major source subsequently increases its emissions of hazardous air pollutants (or its potential to emit hazardous air pollutants) such that the source is a major source that is subject to the emission standard or other requirement, such source shall be subject to the notification requirements of this section.

(iii) Affected sources that are required under this paragraph to submit an initial notification may use the application for approval of construction or reconstruction under § 63.5(d), if relevant, to fulfill the initial notification requirements of this paragraph.

(2) The owner or operator of an affected source that has an initial startup before the effective date of a relevant standard under 40 CFR Part 63 shall notify the Administrator in writing that the source is subject to the relevant standard. The notification, which shall be submitted not later than 120 calendar days after the effective date of the relevant standard (or within 120 calendar days after the source becomes subject to the relevant standard), shall provide the following information:

- (i) The name and address of the owner or operator;
- (ii) The address (i.e., physical location) of the affected source;
- (iii) An identification of the relevant standard, or other requirement, that is the basis of the notification and the source's compliance date;
- (iv) A brief description of the nature, size, design, and method of operation of the source, including its operating design capacity and an identification of each point of emission for each hazardous air pollutant, or if a definitive identification is not yet possible, a preliminary identification of each point of emission for each hazardous air pollutant; and
- (v) A statement of whether the affected source is a major source or an area source.

(3) The owner or operator of a new or reconstructed affected source, or a source that has been reconstructed such that it is an affected source, that has an initial startup after the effective date of a relevant standard under 40 CFR Part 63 and for which an application for approval of construction or reconstruction is not required under § 63.5(d), shall notify the Administrator in writing that the source is subject to the relevant standard no later than 120 days after initial startup. The notification shall provide all the information required in paragraphs (b)(2)(i) through (b)(2)(v) of this section, delivered or postmarked with the notification required in paragraph (b)(5).

(4) The owner or operator of a new or reconstructed major affected source that has an initial startup after the effective date of a relevant standard under 40 CFR Part 63 and for which an application for approval of construction or reconstruction is required under § 63.5(d) shall provide the following information in writing to the Administrator:

- (i) A notification of intention to construct a new major affected source, reconstruct a major affected source, or reconstruct a major source such that the source becomes a major affected source with the application for approval of construction or reconstruction as specified in § 63.5(d)(1)(i);
- (ii) A notification of the date when construction or reconstruction was commenced, submitted simultaneously with the application for approval of construction or reconstruction, if construction or reconstruction was commenced before the effective date of the relevant standard;
- (iii) A notification of the date when construction or reconstruction was commenced, delivered or postmarked not later than 30 days after such date, if construction or reconstruction was commenced after the effective date of the relevant standard;
- (iv) (Reserved).
- (v) A notification of the actual date of startup of the source, delivered or postmarked within 15 calendar days after that date.

(5) After the effective date of any relevant standard established by the Administrator under 40 CFR Part 63, whether or not an approved permit program is effective in the State in which an affected source is (or would be) located, an owner or operator who intends to construct a new affected source or reconstruct an affected source subject to such standard, or reconstruct a source such that it becomes an affected source subject to such standard, shall notify the Administrator, in writing, of the intended construction or reconstruction. The notification shall be submitted as soon as practicable before the construction or reconstruction is planned to commence (but no sooner than the effective date of the relevant standard) if the construction or reconstruction commences after the effective date of a relevant standard promulgated in 40 CFR Part 63. The notification shall be submitted as soon as practicable before startup but no later than 60 days after the effective date of a relevant standard promulgated in

40 CFR Part 63 if the construction or reconstruction had commenced and initial startup had not occurred before the standard's effective date. The notification shall include all the information required for an application for approval of construction or reconstruction as specified in [§ 63.5\(d\)](#). For major sources, the application for approval of construction or reconstruction may be used to fulfill the requirements of this paragraph.

[40 CFR 63.9(b)]

**(c) Request for Extension of Compliance.**

If the owner or operator of an affected source cannot comply with a relevant standard by the applicable compliance date for that source, or if the owner or operator has installed BACT or technology to meet LAER consistent with [§ 63.6\(i\)\(5\)](#), he/she may submit to the Administrator (or the State with an approved permit program) a request for an extension of compliance as specified in [§ 63.6\(i\)\(4\)](#) through [§ 63.6\(i\)\(6\)](#).

[40 CFR 63.9(c)]

**(d) Notification That Source is Subject to Special Compliance Requirements.**

An owner or operator of a new source that is subject to special compliance requirements as specified in [§ 63.6\(b\)\(3\)](#) and [§ 63.6\(b\)\(4\)](#) shall notify the Administrator of his/her compliance obligations not later than the notification dates established in paragraph (b) of this section for new sources that are not subject to the special provisions.

[40 CFR 63.9(d)]

**(e) Notification of Performance Test.**

The owner or operator of an affected source shall notify the Administrator in writing of his or her intention to conduct a performance test at least 60 calendar days before the performance test is scheduled to begin to allow the Administrator to review and approve the site-specific test plan required under [§ 63.7\(c\)](#), if requested by the Administrator, and to have an observer present during the test.

[40 CFR 63.9(e)]

**(f) Not applicable.**

**(g) Not applicable**

**(h) Notification of Compliance Status.**

(1) The requirements of paragraphs (h)(2) through (h)(4) of this section apply when an affected source becomes subject to a relevant standard.

(2) Only applicable prior to issuance of a Title V permit.

(3) After a title V permit has been issued to the owner or operator of an affected source, the owner or operator of such source shall comply with all requirements for compliance status reports contained in the source's title V permit, including reports required under 40 CFR Part 63. After a title V permit has been issued to the owner or operator of an affected source, and each time a notification of compliance status is required under 40 CFR Part 63, the owner or operator of such source shall submit the notification of compliance status to the appropriate permitting authority following completion of the relevant compliance demonstration activity specified in the relevant standard.

(4) (Reserved).



(5) If an owner or operator of an affected source submits estimates or preliminary information in the application for approval of construction or reconstruction required in § 63.5(d) in place of the actual emissions data or control efficiencies required in paragraphs (d)(1)(ii)(H) and (d)(2) of § 63.5, the owner or operator shall submit the actual emissions data and other correct information as soon as available but no later than with the initial notification of compliance status required in this section.

(6) Advice on a notification of compliance status may be obtained from the Administrator.

[40 CFR 63.9(h)]

**(i) Adjustment to Time Periods or Postmark Deadlines for Submittal and Review of Required Communications.**

(1)(i) Until an adjustment of a time period or postmark deadline has been approved by the Administrator under paragraphs (i)(2) and (i)(3) of this section, the owner or operator of an affected source remains strictly subject to the requirements of 40 CFR Part 63.

(ii) An owner or operator shall request the adjustment provided for in paragraphs (i)(2) and (i)(3) of this section each time he or she wishes to change an applicable time period or postmark deadline specified in 40 CFR Part 63.

(2) Notwithstanding time periods or postmark deadlines specified in 40 CFR Part 63 for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. An owner or operator who wishes to request a change in a time period or postmark deadline for a particular requirement shall request the adjustment in writing as soon as practicable before the subject activity is required to take place. The owner or operator shall include in the request whatever information he or she considers useful to convince the Administrator that an adjustment is warranted.

(3) If, in the Administrator's judgment, an owner or operator's request for an adjustment to a particular time period or postmark deadline is warranted, the Administrator will approve the adjustment. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an adjustment within 15 calendar days of receiving sufficient information to evaluate the request.

(4) If the Administrator is unable to meet a specified deadline, he or she will notify the owner or operator of any significant delay and inform the owner or operator of the amended schedule.

[40 CFR 63.9(i)]

**(j) Change in Information Already Provided.**

Any change in the information already provided under this section shall be provided to the Administrator in writing within 15 calendar days after the change.

[40 CFR 63.9(j)]

**A.6 Record-keeping and Reporting Requirements (§ 63.10)**

**(a) Applicability and General Information.**

(1) The requirements of this section apply to owners or operators of affected sources who are subject to the provisions of 40 CFR Part 63, unless specified otherwise in a relevant standard.

(2) For affected sources that have been granted an extension of compliance under Subpart D of 40 CFR Part 63, the requirements of this section do not apply to those sources while they are operating under such compliance extensions.

(3) If any State requires a report that contains all the information required in a report listed in this section, an owner or operator may send the Administrator a copy of the report sent to the State to satisfy the requirements of this section for that report.

(4)(i) Before a State has been delegated the authority to implement and enforce record-keeping and reporting requirements established under 40 CFR Part 63, the owner or operator of an affected source in such State subject to such requirements shall submit reports to the appropriate Regional Office of the EPA (to the attention of the Director of the Division indicated in the list of the EPA Regional Offices in § 63.13).

(ii) After a State has been delegated the authority to implement and enforce record-keeping and reporting requirements established under 40 CFR Part 63, the owner or operator of an affected source in such State subject to such requirements shall submit reports to the delegated State authority (which may be the same as the permitting authority). In addition, if the delegated (permitting) authority is the State, the owner or operator shall send a copy of each report submitted to the State to the appropriate Regional Office of the EPA, as specified in paragraph (a)(4)(i) of this section. The Regional Office may waive this requirement for any reports at its discretion.

(5) If an owner or operator of an affected source in a State with delegated authority is required to submit periodic reports under 40 CFR Part 63 to the State, and if the State has an established timeline for the submission of periodic reports that is consistent with the reporting frequency(ies) specified for such source under 40 CFR Part 63, the owner or operator may change the dates by which periodic reports under 40 CFR Part 63 shall be submitted (without changing the frequency of reporting) to be consistent with the State's schedule by mutual agreement between the owner or operator and the State. For each relevant standard established pursuant to Section 112 of the Act, the allowance in the previous sentence applies in each State beginning one year after the affected source's compliance date for that standard. Procedures governing the implementation of this provision are specified in [§ 63.9\(i\)](#).

(6) If an owner or operator supervises one or more stationary sources affected by more than one standard established pursuant to Section 112 of the Act, he/she may arrange by mutual agreement between the owner or operator and the Administrator (or the State permitting authority) a common schedule on which periodic reports required for each source shall be submitted throughout the year. The allowance in the previous sentence applies in each State beginning 1 year after the latest compliance date for any relevant standard established pursuant to Section 112 of the Act for any such affected source(s). Procedures governing the implementation of this provision are specified in [§ 63.9\(i\)](#).

(7) If an owner or operator supervises one or more stationary sources affected by standards established pursuant to Section 112 of the Act (as amended November 15, 1990) and standards set under Part 60, Part 61, or both such parts of this chapter, he/she may arrange by mutual agreement between the owner or operator and the Administrator (or the State permitting authority) a common schedule on which periodic reports required by each relevant (i.e., applicable) standard shall be submitted throughout the year. The allowance in the previous sentence applies in each State beginning one year after the stationary source is required to be in compliance with the relevant Section 112 standard, or one year after the stationary source is required to be in compliance with the applicable Part 60 or Part 61 standard, whichever is latest. Procedures governing the implementation of this provision are specified in [§ 63.9\(i\)](#).

**[40 CFR 63.10(a)]**

**(b) General Record-Keeping Requirements.**

(1) The owner or operator of an affected source subject to the provisions of 40 CFR Part 63 shall maintain files of all information (including all reports and notifications) required by 40 CFR Part 63 recorded in a form suitable and readily available for expeditious inspection and review. The files shall be retained for at least five years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent TWO years of data shall be retained on site. The remaining three years of data may be retained off site. Such files may be maintained on microfilm, on a computer, on computer floppy disks, on magnetic tape disks, or on microfiche.

(2) The owner or operator of an affected source subject to the provisions of 40 CFR Part 63 shall maintain relevant records for such source of --

(i) The occurrence and duration of each startup, shutdown, or malfunction of operation (i.e., process equipment);

(ii) The occurrence and duration of each malfunction of the air pollution control equipment;

(iii) All maintenance performed on the air pollution control equipment;

(iv) Actions taken during periods of startup, shutdown, and malfunction (including corrective actions to restore malfunctioning process and air pollution control equipment to its normal or usual manner of operation) when such actions are different from the procedures specified in the affected source's startup, shutdown, and malfunction plan [see § 63.6(e)(3)];

(v) All information necessary to demonstrate conformance with the affected source's startup, shutdown, and malfunction plan [see § 63.6(e)(3)] when all actions taken during periods of startup, shutdown, and malfunction (including corrective actions to restore malfunctioning process and air pollution control equipment to its normal or usual manner of operation) are consistent with the procedures specified in such plan. (The information needed to demonstrate conformance with the startup, shutdown, and malfunction plan may be recorded using a "checklist," or some other effective form of recordkeeping, in order to minimize the record-keeping burden for conforming events);

(vi) Each period during which a CMS is malfunctioning or inoperative (including out-of-control periods);

(vii) All required measurements needed to demonstrate compliance with a relevant standard (including, but not limited to, 15-minute averages of CMS data, raw performance testing measurements, and raw performance evaluation measurements, that support data that the source is required to report);

(A) This paragraph applies to owners or operators required to install a continuous emissions monitoring system (CEMS) where the CEMS installed is automated, and where the calculated data averages do not exclude periods of CEMS breakdown or malfunction. An automated CEMS records and reduces the measured data to the form of the pollutant emission standard through the use of a computerized data acquisition system. In lieu of maintaining a file of all CEMS subhourly measurements as required under paragraph (b)(2)(vii) of this section, the owner or operator shall retain the most recent consecutive three averaging periods of subhourly measurements and a file that contains a hard copy of the data acquisition system algorithm used to reduce the measured data into the reportable form of the standard.

(B) This paragraph applies to owners or operators required to install a CEMS where the measured data is manually reduced to obtain the reportable form of the standard, and where the calculated data averages do not exclude periods of CEMS breakdown or malfunction. In lieu of maintaining a file of all CEMS subhourly measurements as required under paragraph (b)(2)(vii) of this section, the owner or operator shall retain all subhourly measurements for the most recent reporting period. The subhourly measurements shall be retained for 120 days from the date of the most recent summary or excess emission report submitted to the Administrator.

(C) The Administrator or delegated authority, upon notification to the source, may require the owner or operator to maintain all measurements as required by paragraph (b)(2)(vii), if the administrator or the delegated authority determines these records are required to more accurately assess the compliance status of the affected source.

(viii) All results of performance tests, CMS performance evaluations, and opacity and visible emission observations;

(ix) All measurements as may be necessary to determine the conditions of performance tests and performance evaluations;

(x) All CMS calibration checks;

(xi) All adjustments and maintenance performed on CMS;

(xii) Any information demonstrating whether a source is meeting the requirements for a waiver of record-keeping or reporting requirements under 40 CFR Part 63, if the source has been granted a waiver under paragraph (f) of this section;

(xiii) All emission levels relative to the criterion for obtaining permission to use an alternative to the relative accuracy test, if the source has been granted such permission under § 63.8(f)(6); and

(xiv) All documentation supporting initial notifications and notifications of compliance status under § 63.9.

(3) Record-keeping requirement for applicability determinations. If an owner or operator determines that his or her stationary source that emits (or has the potential to emit, without considering controls) one or more hazardous air pollutants is not subject to a relevant standard or other requirement established under 40 CFR Part 63, the owner or operator shall keep a record of the applicability determination on site at the source for a period of five years after the determination, or until the source changes its operations to become an affected source, whichever comes first. The record of the applicability determination shall include an analysis (or other information) that demonstrates why the owner or operator believes the source is unaffected (e.g., because the source is an area source). The analysis (or other information) shall be sufficiently detailed to allow the Administrator to make a finding about the source's applicability status with regard to the relevant standard or other requirement.

If relevant, the analysis shall be performed in accordance with requirements established in subparts of 40 CFR Part 63 for this purpose for particular categories of stationary sources. If relevant, the analysis should be performed in accordance with EPA guidance materials published to assist sources in making applicability determinations under Section 112, if any.

**[40 CFR 63.10(b)]**

(c) Additional record-keeping requirements for sources with continuous monitoring systems.

In addition to complying with the requirements specified in paragraphs (b)(1) and (b)(2) of this section, the owner or operator of an affected source required to install a CMS by a relevant standard shall maintain records for such source of --

(1) All required CMS measurements (including monitoring data recorded during unavoidable CMS breakdowns and out-of-control periods);

(2) - (4) (Reserved).

(5) The date and time identifying each period during which the CMS was inoperative except for zero (low-level) and high-level checks;

(6) Not applicable.

(7) The specific identification (i.e., the date and time of commencement and completion) of each period of excess emissions and parameter monitoring exceedances, as defined in the relevant standard(s), that occurs during startups, shutdowns, and malfunctions of the affected source;

(8) The specific identification (i.e., the date and time of commencement and completion) of each time period of excess emissions and parameter monitoring exceedances, as defined in the relevant standard(s), that occurs during periods other than startups, shutdowns, and malfunctions of the affected source;

(9) (Reserved).

(10) The nature and cause of any malfunction (if known);

(11) The corrective action taken or preventive measures adopted;

(12) The nature of the repairs or adjustments to the CMS that was inoperative or out of control;

(13) The total process operating time during the reporting period

(14) Not applicable.

(15) In order to satisfy the requirements of paragraphs (c)(10) through (c)(12) of this section and to avoid duplicative record-keeping efforts, the owner or operator may use the affected source's startup, shutdown, and malfunction plan or records kept to satisfy the record-keeping requirements of the startup, shutdown, and malfunction plan specified in § 63.6(e), provided that such plan and records adequately address the requirements of paragraphs (c)(10) through (c)(12).

[40 CFR 63.10(c)]

**(d) General Reporting Requirements.**

(1) Notwithstanding the requirements in this paragraph or paragraph (e) of this section, the owner or operator of an affected source subject to reporting requirements under 40 CFR Part 63 shall submit reports to the Administrator in accordance with the reporting requirements in the relevant standard(s).

(2) Reporting results of performance tests. Before a title V permit has been issued to the owner or operator of an affected source, the owner or operator shall report the results of any performance test under § 63.7 to the Administrator. After a title V permit has been issued to the owner or operator of an affected source, the owner or operator shall report the results of a required performance test to the appropriate permitting authority. The owner or operator of an affected source shall report the results of the performance test to the Administrator (or the State with an approved permit program) before the close of business on the 60th day following the completion of the performance test, unless specified otherwise in a relevant standard or as approved otherwise in writing by the Administrator. The results of the performance test shall be submitted as part of the notification of compliance status required under [§ 63.9\(h\)](#).

(3) Not applicable.

(4) Progress reports. The owner or operator of an affected source who is required to submit progress reports as a condition of receiving an extension of compliance under § 63.6(i) shall submit such reports to the Administrator (or the State with an approved permit program) by the dates specified in the written extension of compliance.

(5)(i) Periodic startup, shutdown, and malfunction reports. If actions taken by an owner or operator during a startup, shutdown, or malfunction of an affected source (including actions taken to correct a malfunction) are consistent with the procedures specified in the source's startup, shutdown, and malfunction plan [see § 63.6(e)(3)], the owner or operator shall state such information in a startup, shutdown, and malfunction report. Reports shall only be required if a startup, shutdown, or malfunction occurred during the reporting period. The startup, shutdown, and malfunction report shall consist of a letter, containing the name, title, and signature of the owner or operator or other responsible official who is certifying its accuracy, that shall be submitted to the Administrator semiannually (or on a more frequent basis if specified otherwise in a relevant standard or as established otherwise by the permitting authority in the source's title V permit). The startup, shutdown, and malfunction report shall be delivered or postmarked by the 30th day following the end of each calendar half (or other calendar reporting period, as appropriate). If the owner or operator is required to submit excess emissions and continuous monitoring system performance (or other periodic) reports under 40 CFR Part 63, the startup, shutdown, and malfunction reports required under this paragraph may be submitted simultaneously with the excess emissions and continuous monitoring system performance (or other) reports. If startup, shutdown, and malfunction reports are submitted with excess emissions and continuous monitoring system performance (or other periodic) reports, and the owner or operator receives approval to reduce the frequency of reporting for the latter under paragraph (e) of this section, the frequency of reporting for the startup, shutdown, and malfunction reports also may be reduced if the Administrator does not object to the intended change. The procedures to implement the allowance in the preceding sentence shall be the same as the procedures specified in paragraph (e)(3) of this section.

(ii) Immediate startup, shutdown, and malfunction reports. Notwithstanding the allowance to reduce the frequency of reporting for periodic startup, shutdown, and malfunction reports under paragraph (d)(5)(i) of this section, any time an action taken by an owner or operator during a startup, shutdown, or malfunction (including actions taken to correct a malfunction) is not consistent with the procedures specified in the affected source's startup, shutdown, and malfunction plan, the owner or operator shall report the actions taken for that event within two working days after commencing actions inconsistent with the plan followed by a letter within seven working days after the end of the event. The immediate report required under this paragraph shall consist of a telephone call (or facsimile [FAX] transmission) to the Administrator within two working days after commencing actions inconsistent with the plan, and it shall be followed by a letter, delivered or postmarked within seven working days after the end of the event, that contains the name, title, and signature of the owner or operator or other responsible official who is certifying its accuracy, explaining the circumstances of the event, the reasons for not following the startup, shutdown, and malfunction plan, and whether any excess emissions and/or parameter monitoring exceedances are believed to have occurred. Notwithstanding the requirements of the previous sentence, after the effective date of an approved permit program in the State in which an affected source is located, the owner or operator may make alternative reporting arrangements, in advance, with the permitting authority in that State. Procedures governing the arrangement of alternative reporting requirements under this paragraph are specified in § 63.9(i).

**[40 CFR 63.10(d)]**

(e) (1)(2) Not applicable.

(3) Excess emissions and continuous monitoring system performance report and summary report.

(i) Excess emissions and parameter monitoring exceedances are defined in relevant standards. The owner or operator of an affected source required to install a CMS by a relevant standard shall submit an excess emissions and continuous monitoring system performance report and/or a summary report to the Administrator semiannually, except when --

(A) More frequent reporting is specifically required by a relevant standard;

(B) The Administrator determines on a case-by-case basis that more frequent reporting is necessary to accurately assess the compliance status of the source; or

(C) (Reserved).

(ii) Request to reduce frequency of excess emissions and continuous monitoring system performance reports. Notwithstanding the frequency of reporting requirements specified in paragraph (e)(3)(i) of this section, an owner or operator who is required by a relevant standard to submit excess emissions and continuous monitoring system performance (and summary) reports on a quarterly (or more frequent) basis may reduce the frequency of reporting for that standard to semiannual if the following conditions are met:

(A) For 1 full year (e.g., four quarterly or 12 monthly reporting periods) the affected source's excess emissions and continuous monitoring system performance reports continually demonstrate that the source is in compliance with the relevant standard;

(B) The owner or operator continues to comply with all record-keeping and monitoring requirements specified in Subpart A and the relevant standard; and

(C) The Administrator does not object to a reduced frequency of reporting for the affected source, as provided in paragraph (e)(3)(iii) of this section.

(iii) The frequency of reporting of excess emissions and continuous monitoring system performance (and summary) reports required to comply with a relevant standard may be reduced only after the owner or operator notifies the Administrator in writing of his or her intention to make such a change and the Administrator does not object to the intended change. In deciding whether to approve a reduced frequency of reporting, the Administrator may review information concerning the source's

entire previous performance history during the five-year record-keeping period prior to the intended change, including performance test results, monitoring data, and evaluations of an owner or operator's conformance with operation and maintenance requirements. Such information may be used by the Administrator to make a judgment about the source's potential for noncompliance in the future. If the Administrator disapproves the owner or operator's request to reduce the frequency of reporting, the Administrator will notify the owner or operator in writing within 45 days after receiving notice of the owner or operator's intention. The notification from the Administrator to the owner or operator will specify the grounds on which the disapproval is based. In the absence of a notice of disapproval within 45 days, approval is automatically granted.

(iv) As soon as CMS data indicate that the source is not in compliance with any emission limitation or operating parameter specified in the relevant standard, the frequency of reporting shall revert to the frequency specified in the relevant standard, and the owner or operator shall submit an excess emissions and continuous monitoring system performance (and summary) report for the noncomplying emission points at the next appropriate reporting period following the noncomplying event. After demonstrating ongoing compliance with the relevant standard for another full year, the owner or operator may again request approval from the Administrator to reduce the frequency of reporting for that standard, as provided for in paragraphs (e)(3)(ii) and (e)(3)(iii) of this section.

(v) Content and submittal dates for excess emissions and monitoring system performance reports. All excess emissions and monitoring system performance reports and all summary reports, if required, shall be delivered or postmarked by the 30th day following the end of each calendar half or quarter, as appropriate. Written reports of excess emissions or exceedances of process or control system parameters shall include all the information required in paragraphs (c)(5) through (c)(13) of this section, in § 63.8(c)(7) and § 63.8(c)(8), and in the relevant standard, and they shall contain the name, title, and signature of the responsible official who is certifying the accuracy of the report. When no excess emissions or exceedances of a parameter have occurred, or a CMS has not been inoperative, out of control, repaired, or adjusted, such information shall be stated in the report.

(vi) Summary report. As required under paragraphs (e)(3)(vii) and (e)(3)(viii) of this section, one summary report shall be submitted for the hazardous air pollutants monitored at each affected source (unless the relevant standard specifies that more than one summary report is required, e.g., one summary report for each hazardous air pollutant monitored). The summary report shall be entitled "Summary Report -- Gaseous and Opacity Excess Emission and Continuous Monitoring System Performance" and shall contain the following information:

- (A) The company name and address of the affected source;
- (B) An identification of each hazardous air pollutant monitored at the affected source;
- (C) The beginning and ending dates of the reporting period;
- (D) A brief description of the process units;
- (E) The emission and operating parameter limitations specified in the relevant standard(s);
- (F) The monitoring equipment manufacturer(s) and model number(s);
- (G) The date of the latest CMS certification or audit;
- (H) The total operating time of the affected source during the reporting period;
- (I) An emission data summary (or similar summary if the owner or operator monitors control system parameters), including the total duration of excess emissions during the reporting period (recorded in minutes for opacity and hours for gases), the total duration of excess emissions expressed as a percent of the total source operating time during that reporting period, and a breakdown of the total duration of excess emissions during the reporting period into those that are due to startup/shutdown, control equipment problems, process problems, other known causes, and other unknown causes;

(J) A CMS performance summary (or similar summary if the owner or operator monitors control system parameters), including the total CMS downtime during the reporting period (recorded in minutes for opacity and hours for gases), the total duration of CMS downtime expressed as a percent of the total source operating time during that reporting period, and a breakdown of the total CMS downtime during the reporting period into periods that are due to monitoring equipment malfunctions, nonmonitoring equipment malfunctions, quality assurance/quality control calibrations, other known causes, and other unknown causes;

(K) A description of any changes in CMS, processes, or controls since the last reporting period;

(L) The name, title, and signature of the responsible official who is certifying the accuracy of the report; and

(M) The date of the report.

(vii) If the total duration of excess emissions or process or control system parameter exceedances for the reporting period is less than 1 % of the total operating time for the reporting period, and CMS downtime for the reporting period is less than 5 % of the total operating time for the reporting period, only the summary report shall be submitted, and the full excess emissions and continuous monitoring system performance report need not be submitted unless required by the Administrator.

(viii) If the total duration of excess emissions or process or control system parameter exceedances for the reporting period is 1 % or greater of the total operating time for the reporting period, or the total CMS downtime for the reporting period is 5% or greater of the total operating time for the reporting period, both the summary report and the excess emissions and continuous monitoring system performance report shall be submitted.

**[40 CFR 63.10(e)]**

**(f) Waiver of Record-Keeping or Reporting Requirements.**

(1) Until a waiver of a record-keeping or reporting requirement has been granted by the Administrator under this paragraph, the owner or operator of an affected source remains subject to the requirements of this section.

(2) Record-keeping or reporting requirements may be waived upon written application to the Administrator if, in the Administrator's judgment, the affected source is achieving the relevant standard(s), or the source is operating under an extension of compliance, or the owner or operator has requested an extension of compliance and the Administrator is still considering that request.

(3) If an application for a waiver of record-keeping or reporting is made, the application shall accompany the request for an extension of compliance under § 63.6(i), any required compliance progress report or compliance status report required under 40 CFR Part 63 [such as under § 63.6(i) and § 63.9(h)] or in the source's title V permit, or an excess emissions and continuous monitoring system performance report required under paragraph (e) of this section, whichever is applicable. The application shall include whatever information the owner or operator considers useful to convince the Administrator that a waiver of record-keeping or reporting is warranted.

(4) The Administrator will approve or deny a request for a waiver of record-keeping or reporting requirements under this paragraph when he/she --

(i) Approves or denies an extension of compliance; or

(ii) Makes a determination of compliance following the submission of a required compliance status report or excess emissions and continuous monitoring systems performance report; or

(iii) Makes a determination of suitable progress towards compliance following the submission of a compliance progress report, whichever is applicable.



(5) A waiver of any record-keeping or reporting requirement granted under this paragraph may be conditioned on other record-keeping or reporting requirements deemed necessary by the Administrator.

(6) Approval of any waiver granted under this section shall not abrogate the Administrator's authority under the Act or in any way prohibit the Administrator from later canceling the waiver. The cancellation will be made only after notice is given to the owner or operator of the affected source.

[40 CFR 63.10(f)]

## **A.7 *Addresses of State air pollution control agencies and EPA Regional Offices (§ 63.13)***

(a) All requests, reports, applications, submittals, and other communications to the Administrator pursuant to 40 CFR Part 63 shall be submitted to the appropriate Regional Office of the U.S. Environmental Protection Agency EPA Region X (Alaska, Idaho, Oregon, Washington), Director, Office of Air Quality, 1200 Sixth Avenue (OAQ-107), Seattle, WA 98101.

[40 CFR 63.13(a)]

(b) All information required to be submitted to the Administrator under 40 CFR Part 63 also shall be submitted to the appropriate State agency of any State to which authority has been delegated under Section 112(l) of the Act. The owner or operator of an affected source may contact the appropriate EPA Regional Office for the mailing addresses for those States whose delegation requests have been approved.

[40 CFR 63.13(b)]

(c) If any State requires a submittal that contains all the information required in an application, notification, request, report, statement, or other communication required in 40 CFR Part 63, an owner or operator may send the appropriate Regional Office of the EPA a copy of that submittal to satisfy the requirements of 40 CFR Part 63 for that communication.

[40 CFR 63.13(c)]

## **A.8 *Incorporation by Reference (§ 63.14)***

(a) The materials listed in this section are incorporated by reference in the corresponding sections noted. The Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR Part 51 approved these incorporations by reference. These materials are incorporated as they exist on the date of the approval, and notice of any change in these materials will be published in the Federal Register. The materials are available for purchase at the corresponding addresses noted below.

[40 CFR 63.14(a)]

(b), (c), (d), (e), (f) not applicable.

(g) The materials listed below are available for purchase from AOAC International, Customer Services, Suite 400, 2200 Wilson Boulevard, Arlington, Virginia, 22201-3301, Telephone (703) 522-3032, Fax (703) 522-5468.

(1) AOAC Official Method 978.01 Phosphorus (Total) in Fertilizers, Automated Method, Sixteenth edition, 1995, IBR approved for [§ 63.626\(d\)\(3\)\(vi\)](#).

(2) AOAC Official Method 969.02 Phosphorus (Total) in Fertilizers, Alkalimetric Quinolinium Molybdophosphate Method, Sixteenth edition, 1995, IBR approved for [§ 63.626\(d\)\(3\)\(vi\)](#).

(3) AOAC Official Method 962.02 Phosphorus (Total) in Fertilizers, Gravimetric Quinolinium Molybdophosphate Method, Sixteenth edition, 1995, IBR approved for [§ 63.626\(d\)\(3\)\(vi\)](#).

(4) AOAC Official Method 957.02 Phosphorus (Total) in Fertilizers, Preparation of Sample Solution, Sixteenth edition, 1995, IBR approved for [§ 63.626\(d\)\(3\)\(vi\)](#).

(5) AOAC Official Method 929.01 Sampling of Solid Fertilizers, Sixteenth edition, 1995, IBR approved for [§ 63.626\(d\)\(3\)\(vi\)](#).

(6) AOAC Official Method 929.02 Preparation of Fertilizer Sample, Sixteenth edition, 1995, IBR approved for [§ 63.626\(d\)\(3\)\(vi\)](#).

(7) AOAC Official Method 958.01 Phosphorus (Total) in Fertilizers, Spectrophotometric Molybdovanadophosphate Method, Sixteenth edition, 1995, IBR approved for [§ 63.626\(d\)\(3\)\(vi\)](#).

**[40 CFR 63.14(g)]**

(h) The materials listed below are available for purchase from The Association of Florida Phosphate Chemists, P.O. Box 1645, Bartow, Florida, 33830, Book of Methods Used and Adopted By The Association of Florida Phosphate Chemists, Seventh Edition 1991, IBR.

(1) Section IX, Methods of Analysis for Phosphate Rock, No. 1 Preparation of Sample, IBR approved for [§ 63.606\(c\)\(3\)\(ii\)](#) and [§ 63.626\(c\)\(3\)\(ii\)](#).

(2) Section IX, Methods of Analysis for Phosphate Rock, No. 3 Phosphorus --  $P_2O_5$  or  $Ca_3(PO_4)_2$ , Method A-Volumetric Method, IBR approved for [§ 63.606\(c\)\(3\)\(ii\)](#) and [§ 63.626\(c\)\(3\)\(ii\)](#).

(3) Section IX, Methods of Analysis for Phosphate Rock, No. 3 Phosphorus-  $P_2O_5$  or  $Ca_3(PO_4)_2$ , Method B -- Gravimetric Quimociac Method, IBR approved for [§ 63.606\(c\)\(3\)\(ii\)](#) and [§ 63.626\(c\)\(3\)\(ii\)](#).

(4) Section IX, Methods of Analysis For Phosphate Rock, No. 3 Phosphorus-  $P_2O_5$  or  $Ca_3(PO_4)_2$ , Method C -- Spectrophotometric Method, IBR approved for [§ 63.606\(c\)\(3\)\(ii\)](#) and [§ 63.626\(c\)\(3\)\(ii\)](#).

(5) Section XI, Methods of Analysis for Phosphoric Acid, Superphosphate, Triple Superphosphate, and Ammonium Phosphates, No. 3 Total Phosphorus-  $P_2O_5$ , Method A -- Volumetric Method, IBR approved for [§ 63.606\(c\)\(3\)\(ii\)](#), [§ 63.626\(c\)\(3\)\(ii\)](#), and [§ 63.626\(d\)\(3\)\(v\)](#).

(6) Section XI, Methods of Analysis for Phosphoric Acid, Superphosphate, Triple Superphosphate, and Ammonium Phosphates, No. 3 Total Phosphorus-  $P_2O_5$ , Method B -- Gravimetric Quimociac Method, IBR approved for [§ 63.606\(c\)\(3\)\(ii\)](#), [§ 63.626\(c\)\(3\)\(ii\)](#), and [§ 63.626\(d\)\(3\)\(v\)](#).

(7) Section XI, Methods of Analysis for Phosphoric Acid, Superphosphate, Triple Superphosphate, and Ammonium Phosphates, No. 3 Total Phosphorus-  $P_2O_5$ , Method C -- Spectrophotometric Method, IBR approved for [§ 63.606\(c\)\(3\)\(ii\)](#), [§ 63.626\(c\)\(3\)\(ii\)](#), and [§ 63.626\(d\)\(3\)\(v\)](#).

**[40 CFR 63.14(h)]**

## **Appendix B**

### **40 CFR 60 Subpart A Requirements<sup>2</sup>**

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<sup>2</sup> Where a difference occurs between the language in Appendix B and the language in 40 CFR 60, Subpart A, the language in 40 CFR 60, Subpart A shall take precedence.

## **B.1 Address (§ 60.4)**

(a) All requests, reports, applications, submittals, and other communications to the Administrator pursuant to 40 CFR 60 shall be submitted in duplicate to the appropriate Regional Office of the U.S. Environmental Protection Agency to the attention of the Director of the Division indicated in the following list of EPA Regional Offices.

Region X (Alaska, Oregon, Idaho, Washington), Director, Air and Waste Management Division, U.S. Environmental Protection Agency, 1200 Sixth Avenue, Seattle, Washington 98101.

(b) Section 111(c) of the Clean Air Act directs the Administrator to delegate to each State, when appropriate, the authority to implement and enforce standards of performance for new stationary sources located in such State. All information required to be submitted to EPA under paragraph (a) of this section, must also be submitted to the appropriate State Agency of any State to which this authority has been delegated (provided, that each specific delegation may except sources from a certain Federal or State reporting requirement).

**[40 CFR 60.4]**

## **B.2 Notification and Record-keeping (§ 60.7)**

(a) Any owner or operator subject to the provisions of 40 CFR 60 shall furnish the Administrator written notification or, if acceptable to both the Administrator and the owner or operator of a source, electronic notification, as follows:

- (1) A notification of the date construction (or reconstruction as defined under § 60.15) of an affected facility is commenced postmarked no later than 30 days after such date. This requirement shall not apply in the case of mass-produced facilities which are purchased in completed form.
- (2) (Reserved).
- (3) (3) A notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date.
- (4) A notification of any physical or operational change to an existing facility which may increase the emissions rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in § 60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emissions control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional relevant information subsequent to this notice.
- (6) A notification of the anticipated date for conducting the opacity observations required by § 60.11(e)(1) of 40 CFR 60. The notification shall also include, if appropriate, a request for the Administrator to provide a visible emissions reader during a performance test. The notification shall be postmarked not less than 30 days prior to such date.

(b) Any owner or operator subject to the provisions of 40 CFR 60 shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

(f) Any owner or operator subject to the provisions of 40 CFR 60 shall maintain a file of all measurements, including continuous monitoring system, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by 40 CFR 60 recorded in a permanent form suitable for inspection. The file shall be retained for at least two years following the date of such measurements, maintenance, reports, and records.

[40 CFR 60.7]

### **B.3 Performance Tests (§ 60.8)**

(a) Within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility and at such other times as may be required by the Administrator under Section 114 of the Act, the owner or operator of such facility shall conduct performance test(s) and furnish the Administrator a written report of the results of such performance test(s).

(b) Performance tests shall be conducted and data reduced in accordance with the test methods and procedures contained in each applicable subpart unless the Administrator

(1) specifies or approves, in specific cases, the use of a reference method with minor changes in methodology,

(2) approves the use of an equivalent method,

(3) approves the use of an alternative method the results of which he has determined to be adequate for indicating whether a specific source is in compliance,

(4) waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Administrator's satisfaction that the affected facility is in compliance with the standard, or

(5) approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors. Nothing in this paragraph shall be construed to abrogate the Administrator's authority to require testing under Section 114 of the Act.

(c) Performance tests shall be conducted under such conditions as the Administrator shall specify to the plant operator based on representative performance of the affected facility. The owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of the performance tests. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test nor shall emissions in excess of the level of the applicable emissions limit during periods of startup, shutdown, and malfunction be considered a violation of the applicable emissions limit unless otherwise specified in the applicable standard.

(d) The owner or operator of an affected facility shall provide the Administrator at least 30 days prior notice of any performance test, except as specified under other subparts, to afford the Administrator the opportunity to have an observer present. If after 30 days notice for an initially scheduled performance test, there is a delay (due to operational problems, etc.) in conducting the scheduled performance test, the owner or operator of an affected facility shall notify the Administrator (or delegated State or local agency) as soon as possible of any delay in the original test date, either by providing at least 7 days prior notice of the rescheduled date of the performance test, or by arranging a rescheduled date with the Administrator (or delegated State or local agency) by mutual agreement.

(e) The owner or operator of an affected facility shall provide, or cause to be provided, performance testing facilities as follows:

(1) Sampling ports adequate for test methods applicable to such facility. This includes (i) constructing the air pollution control system such that volumetric flow rates and pollutant emissions rates can be accurately determined by applicable test methods and procedures and (ii) providing a stack or duct free of cyclonic flow during performance tests, as demonstrated by applicable test methods and procedures.

(2) Safe sampling platform(s).

(3) Safe access to sampling platform(s).

(4) Utilities for sampling and testing equipment.

(f) Unless otherwise specified in the applicable subpart, each performance test shall consist of three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, the arithmetic means of results of the three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the three runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances, beyond the owner or operator's control, compliance may, upon the Administrator's approval, be determined using the arithmetic mean of the results of the two other runs.

**[40 CFR 60.8]**

#### **B.4 Compliance with Standards and Maintenance Requirements (§ 60.11)**

(a) Compliance with standards in 40 CFR 60, other than opacity standards, shall be determined in accordance with performance tests established by [§ 60.8](#), unless otherwise specified in the applicable standard.

(b) Compliance with opacity standards in 40 CFR 60 shall be determined by conducting observations in accordance with Method 9 in Appendix A of 40 CFR 60, any alternative method that is approved by the Administrator, or as provided in paragraph (e)(5) of this section. For purposes of determining initial compliance, the minimum total time of observations shall be 3 hours (30 6-minute averages) for the performance test or other set of observations (meaning those fugitive-type emissions sources subject only to an opacity standard).

(c) The opacity standards set forth in 40 CFR 60 shall apply at all times except during periods of startup, shutdown, malfunction, and as otherwise provided in the applicable standard.

(d) At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(e)(1) For the purpose of demonstration initial compliance, opacity observations shall be conducted concurrently with the initial performance test required in § 60.8. unless one of the following conditions apply. If no performance test under § 60.8 is required, then opacity observations shall be conducted within 60 days after achieving the maximum production rate at which the affected facility will be operated but no later than 180 days after initial startup of the facility. If visibility or other conditions prevent the opacity observations from being conducted concurrently with the initial performance test required under § 60.8, the source owner or operator shall reschedule the opacity observations as soon after the initial performance test as possible, but not later than 30 days thereafter, and shall advise the Administrator of the rescheduled date. In these cases, the 30-day prior notification to the Administrator required in § 60.7(a)(6) shall be waived. The rescheduled opacity observations shall be conducted (to the extent possible) under the same operating conditions that existed during the initial performance test conducted under § 60.8. The visible emissions observer shall determine whether visibility or other conditions prevent the opacity observations from being made concurrently with the initial performance test in accordance with procedures contained in Method 9 of Appendix B of 40 CFR 60. Opacity readings of portions of plumes which contain condensed, uncombined water vapor shall not be used for purposes of determining compliance with opacity standards. The owner or operator of an affected facility shall make available, upon request by the Administrator, such records as may be necessary to determine the conditions under which the visual observations were made and shall provide evidence indicating proof of current visible observer emissions certification. Except as provided in paragraph (e)(5) of this section, the results of continuous monitoring by transmissometer which indicate that the opacity at the time visual observations were made was not in excess of the standard are probative but not conclusive evidence of the actual opacity of an emissions, provided that the source shall meet the burden of proving that the instrument used meets (at the time of the alleged violation) Performance Specification 1 in Appendix B of 40 CFR 60, has been properly maintained and (at the time of the alleged violation) that the resulting data have not been altered in any way.

(2) Except as provided in paragraph (e)(3) of this section, the owner or operator of an affected facility to which an opacity standard in 40 CFR 60 applies shall conduct opacity observations in accordance with paragraph (b) of this section, shall record the opacity of emissions, and shall report to the Administrator the opacity results along with the results of the initial performance test required under § 60.8. The inability of an owner or operator to secure a visible emissions observer shall not be considered a reason for not conducting the opacity observations concurrent with the initial performance test.

(3) The owner or operator of an affected facility to which an opacity standard in 40 CFR 60 applies may request the Administrator to determine and to record the opacity of emissions from the affected facility during the initial performance test and at such times as may be required. The owner or operator of the affected facility shall report the opacity results. Any request to the Administrator to determine and to record the opacity of emissions from an affected facility shall be included in the notification required in § 60.7(a)(6). If, for some reason, the Administrator cannot determine and record the opacity of emissions from the affected facility during the performance test, then the provisions of paragraph (e)(1) of this section shall apply.

(g) For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard in 40 CFR 60, nothing in 40 CFR 60 shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.

**[40 CFR 60.11]**

## **B.5 Circumvention (§ 60.12)**

No owner or operator subject to the provisions of 40 CFR 60 shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emissions which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

[40 CFR 60.12]

## **B.6 Monitoring requirements (§ 60.13)**

(a) For the purposes of this section, all continuous monitoring systems required under applicable subparts shall be subject to the provisions of this section upon promulgation of performance specifications for continuous monitoring systems under Appendix B to this part and, if the continuous monitoring system is used to demonstrate compliance with emission limits on a continuous basis, Appendix F to this part, unless otherwise specified in an applicable subpart or by the Administrator. Appendix F is applicable December 4, 1987.

(b) All continuous monitoring systems and monitoring devices shall be installed and operational prior to conducting performance tests under [§ 60.8](#). Verification of operational status shall, as a minimum, include completion of the manufacturer's written requirements or recommendations for installation, operation, and calibration of the device.

(c) If the owner or operator of an affected facility elects to submit continuous opacity monitoring system (COMS) data for compliance with the opacity standard as provided under [§ 60.11](#)(e)(5), he shall conduct a performance evaluation of the COMS as specified in Performance Specification 1, Appendix B, of this part before the performance test required under [§ 60.8](#) is conducted. Otherwise, the owner or operator of an affected facility shall conduct a performance evaluation of the COMS or continuous emission monitoring system (CEMS) during any performance test required under [§ 60.8](#) or within 30 days thereafter in accordance with the applicable performance specification in Appendix B of this part. The owner or operator of an affected facility shall conduct COMS or CEMS performance evaluations at such other times as may be required by the Administrator under Section 114 of the Act.

(1) The owner or operator of an affected facility using a COMS to determine opacity compliance during any performance test required under [§ 60.8](#) and as described in [§ 60.11](#)(e)(5) shall furnish the Administrator two or, upon request, more copies of a written report of the results of the COMS performance evaluation described in paragraph (c) of this section at least 10 days before the performance test required under [§ 60.8](#) is conducted.

(2) Except as provided in paragraph (c)(1) of this section, the owner or operator of an affected facility shall furnish the Administrator within 60 days of completion two or, upon request, more copies of a written report of the results of the performance evaluation.

(d)(1) Owners and operators of a CEMS installed in accordance with the provisions of this part, must automatically check the zero (or low level value between 0 and 20% of span value) and span (50 to 100% of span value) calibration drifts at least once daily in accordance with a written procedure. The zero and span must, as a minimum, be adjusted whenever either the 24-hour zero drift or the 24-hour span drift exceeds two times the limit of the applicable performance specification in Appendix B of this part. The system must allow the amount of the excess zero and span drift to be recorded and quantified whenever specified. Owners and operators of a COMS installed in accordance with the provisions of this part, must automatically, intrinsic to the opacity monitor, check the zero and upscale (span) calibration drifts at least once daily. For a particular COMS, the acceptable range of zero and



upscale calibration materials is as defined in the applicable version of PS-1 in Appendix B of this part. For continuous monitoring systems measuring opacity of emissions not using automatic zero adjustments, the optical surfaces exposed to the effluent gases shall be cleaned prior to performing the zero and span drift adjustments. For systems using automatic zero adjustments, the optical surfaces shall be cleaned when the cumulative automatic zero compensation exceeds 4% opacity.

(2) Unless otherwise approved by the Administrator, the following procedures must be followed for a COMS. Minimum procedures must include an automated method for producing a simulated zero opacity condition and an upscale opacity condition using a certified neutral density filter or other related technique to produce a known obstruction of the light beam. Such procedures must provide a system check of all active analyzer internal optics with power or curvature, all active electronic circuitry including the light source and photodetector assembly, and electronic or electro-mechanical systems and hardware and or software used during normal measurement operation.

(e) Except for system breakdowns, repairs, calibration checks, and zero and span adjustments required under paragraph (d) of this section, all continuous monitoring systems shall be in continuous operation and shall meet minimum frequency of operation requirements as follows:

(1) All continuous monitoring systems referenced by paragraph (c) of this section for measuring opacity of emissions shall complete a minimum of one cycle of sampling and analyzing for each successive 10-second period and one cycle of data recording for each successive 6-minute period.

(2) All continuous monitoring systems referenced by paragraph (c) of this section for measuring emissions, except opacity, shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period.

(f) All continuous monitoring systems or monitoring devices shall be installed such that representative measurements of emissions or process parameters from the affected facility are obtained. Additional procedures for location of continuous monitoring systems contained in the applicable Performance Specifications of Appendix B of this part shall be used.

(g) When the effluents from a single affected facility or two or more affected facilities subject to the same emission standards are combined before being released to the atmosphere, the owner or operator may install applicable continuous monitoring systems on each effluent or on the combined effluent. When the affected facilities are not subject to the same emission standards, separate continuous monitoring systems shall be installed on each effluent. When the effluent from one affected facility is released to the atmosphere through more than one point, the owner or operator shall install an applicable continuous monitoring system on each separate effluent unless the installation of fewer systems is approved by the Administrator. When more than one continuous monitoring system is used to measure the emissions from one affected facility (e.g., multiple breechings, multiple outlets), the owner or operator shall report the results as required from each continuous monitoring system.

(h) Owners or operators of all continuous monitoring systems for measurement of opacity shall reduce all data to 6-minute averages and for continuous monitoring systems other than opacity to 1-hour averages for time periods as defined in [§ 60.2](#). Six-minute opacity averages shall be calculated from 36 or more data points equally spaced over each 6-minute period. For continuous monitoring systems other than opacity, 1-hour averages shall be computed from four or more data points equally spaced over each 1-hour period. Data recorded during periods of continuous system breakdown, repair, calibration checks, and zero and span adjustments shall not be included in the data averages computed under this paragraph. For owners and operators complying with the requirements in [§ 60.7\(f\)](#) (1) or

(2), data averages must include any data recorded during periods of monitor breakdown or malfunction. An arithmetic or integrated average of all data may be used. The data may be recorded in reduced or nonreduced form (e.g., ppm pollutant and percent O<sub>2</sub> or ng/J of pollutant). All excess emissions shall be converted into units of the standard using the applicable conversion procedures specified in subparts. After conversion into units of the standard, the data may be rounded to the same number of significant digits as used in the applicable subparts to specify the emission limit (e.g., rounded to the nearest 1% opacity).

(i) After receipt and consideration of written application, the Administrator may approve alternatives to any monitoring procedures or requirements of [this part](#) including, but not limited to the following:

(1) Alternative monitoring requirements when installation of a continuous monitoring system or monitoring device specified by this part would not provide accurate measurements due to liquid water or other interferences caused by substances in the effluent gases.

(2) Alternative monitoring requirements when the affected facility is infrequently operated.

(3) Alternative monitoring requirements to accommodate continuous monitoring systems that require additional measurements to correct for stack moisture conditions.

(4) Alternative locations for installing continuous monitoring systems or monitoring devices when the owner or operator can demonstrate that installation at alternate locations will enable accurate and representative measurements.

(5) Alternative methods of converting pollutant concentration measurements to units of the standards.

(6) Alternative procedures for performing daily checks of zero and span drift that do not involve use of span gases or test cells.

(7) Alternatives to the A.S.T.M. test methods or sampling procedures specified by any subpart.

(8) Alternative continuous monitoring systems that do not meet the design or performance requirements in Performance Specification 1, Appendix B, but adequately demonstrate a definite and consistent relationship between its measurements and the measurements of opacity by a system complying with the requirements in Performance Specification 1. The Administrator may require that such demonstration be performed for each affected facility.

(9) Alternative monitoring requirements when the effluent from a single affected facility or the combined effluent from two or more affected facilities is released to the atmosphere through more than one point.

(j) An alternative to the relative accuracy (RA) test specified in Performance Specification 2 of Appendix B may be requested as follows:

(1) An alternative to the reference method tests for determining RA is available for sources with emission rates demonstrated to be less than 50% of the applicable standard. A source owner or operator may petition the Administrator to waive the RA test in Section 8.4 of Performance Specification 2 and substitute the procedures in Section 16.0 if the results of a performance test conducted according to the requirements in § 60.8 of this subpart or other tests performed following the criteria in § 60.8 demonstrate that the emission rate of the pollutant of interest in the units of the applicable standard is less than 50% of the applicable standard. For sources subject to standards expressed as control efficiency levels, a source owner or operator may petition the Administrator to waive the RA test and substitute the procedures in Section 16.0 of Performance Specification 2 if the

control device exhaust emission rate is less than 50% of the level needed to meet the control efficiency requirement. The alternative procedures do not apply if the continuous emission monitoring system is used to determine compliance continuously with the applicable standard. The petition to waive the RA test shall include a detailed description of the procedures to be applied. Included shall be location and procedure for conducting the alternative, the concentration or response levels of the alternative RA materials, and the other equipment checks included in the alternative procedure. The Administrator will review the petition for completeness and applicability. The determination to grant a waiver will depend on the intended use of the CEMS data (e.g., data collection purposes other than NSPS) and may require specifications more stringent than in Performance Specification 2 (e.g., the applicable emission limit is more stringent than NSPS).

(2) The waiver of a CEMS RA test will be reviewed and may be rescinded at such time, following successful completion of the alternative RA procedure, that the CEMS data indicate that the source emissions are approaching the level. The criterion for reviewing the waiver is the collection of CEMS data showing that emissions have exceeded 70% of the applicable standard for seven, consecutive, averaging periods as specified by the applicable regulation(s). For sources subject to standards expressed as control efficiency levels, the criterion for reviewing the waiver is the collection of CEMS data showing that exhaust emissions have exceeded 70% of the level needed to meet the control efficiency requirement for seven, consecutive, averaging periods as specified by the applicable regulation(s) [e.g., § 60.45(g) (2) and (3), § 60.73(e), and [§ 60.84\(e\)](#)]. It is the responsibility of the source operator to maintain records and determine the level of emissions relative to the criterion on the waiver of RA testing. If this criterion is exceeded, the owner or operator must notify the Administrator within 10 days of such occurrence and include a description of the nature and cause of the increasing emissions. The Administrator will review the notification and may rescind the waiver and require the owner or operator to conduct a RA test of the CEMS as specified in Section 8.4 of Performance Specification 2.

[40 CFR 60.13]

## **B.7      *Modification (§ 60.14)***

a) Except as provided under paragraphs (e) and (f) of this section, any physical or operational change to an existing facility which results in an increase in the emissions rate to the atmosphere of any pollutant to which a standard applies shall be considered a modification within the meaning of Section 111 of the Act. Upon modification, an existing facility shall become an affected facility for each pollutant to which a standard applies and for which there is an increase in the emissions rate to the atmosphere.

(b) Emission rate shall be expressed as kg/hr of any pollutant discharged into the atmosphere for which a standard is applicable. The Administrator shall use the following to determine emissions rate:

(1) Emission factors as specified in the latest issue of "Compilation of Air Pollutant Emission Factors," EPA Publication No. AP42, or other emissions factors determined by the Administrator to be superior to AP42 emissions factors, in cases where utilization of emissions factors demonstrates that the emissions level resulting from the physical or operational change will either clearly increase or clearly not increase.

(2) Material balances, continuous monitor data, or manual emissions tests in cases where utilization of emissions factors as referenced in paragraph (b)(1) of this section does not demonstrate to the Administrator's satisfaction whether the emissions level resulting from the physical or operational change will either clearly increase or clearly not increase, or where an owner or operator demonstrates to the Administrator's satisfaction that there are reasonable grounds to dispute the result obtained by the Administrator utilizing emissions factors as referenced in paragraph (b)(1) of this section. When the emissions rate is based on results from manual emissions tests or continuous monitoring systems,

the procedures specified in Appendix C of 40 CFR 60 shall be used to determine whether an increase in emissions rate has occurred. Tests shall be conducted under such conditions as the Administrator shall specify to the owner or operator based on representative performance of the facility. At least three valid test runs must be conducted before and at least three after the physical or operational change. All operating parameters which may affect emissions must be held constant to the maximum feasible degree for all test runs.

(c) The addition of an affected facility to a stationary source as an expansion to that source or as a replacement for an existing facility shall not by itself bring within the applicability of 40 CFR 60 any other facility within that source.

(d) (Reserved).

(e) The following shall not, by themselves, be considered modifications under 40 CFR 60:

(1) Maintenance, repair, and replacement which the Administrator determines to be routine for a source category, subject to the provisions of paragraph (c) of this section and § 60.15.

(2) An increase in production rate of an existing facility, if that increase can be accomplished without a capital expenditure on that facility.

(3) An increase in the hours of operation.

(4) Use of an alternative fuel or raw material if, prior to the date any standard under 40 CFR 60 becomes applicable to that source type, as provided by § 60.1, the existing facility was designed to accommodate that alternative use. A facility shall be considered to be designed to accommodate an alternative fuel or raw material if that use could be accomplished under the facility's construction specifications as amended prior to the change. Conversion to coal required for energy considerations, as specified in Section 111(a)(8) of the Act, shall not be considered a modification.

(5) The addition or use of any system or device whose primary function is the reduction of air pollutants, except when an emissions control system is removed or is replaced by a system which the Administrator determines to be less environmentally beneficial.

(6) The relocation or change in ownership of an existing facility.

(f) Special provisions set forth under an applicable subpart of 40 CFR 60 shall supersede any conflicting provisions of this section.

(g) Within 180 days of the completion of any physical or operational change subject to the control measures specified in paragraph (a) of this section, compliance with all applicable standards must be achieved.

**[40 CFR 60.14]**